

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, AUGUST 8, 2005**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:11 p.m. on Monday, August 8, 2005, with President Talley presiding.

Councillor Moriarty Adams led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 ABSENT:*

A quorum of twenty-nine members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Gibson recognized public safety officers present and commended the Mayor and Indianapolis Police Department for supporting the OK (Our Kids) Program. Councillor Conley recognized his wife, Judi, who is supporting him by being in attendance in honor of his birthday. Councillor Sanders recognized Mayor Bart Peterson's wife, Amy Minnick Peterson. Councillor Abdullah recognized Riverside resident Lillian Davis. Councillor Nytes recognized former City-County Councillor Frank Short. Councillor Gray recognized the Mayor's staff. President Talley congratulated Councillor Mahern on his recent engagement.

## **OFFICIAL COMMUNICATIONS**

President Talley recognized Councillors Gibson and Cain to present a brief update on the Kids' Health Festival. Councillor Gibson reported that the Kids' Health Festival will be hosted by the City-County Council and sponsored by Anthem Blue Cross and Blue Shield on Saturday, August 27, 2005 from 10:00 a.m. to 4:00 p.m. at the Glendale Mall. The event is for children 12 years old and under and their parents and guardians and will provide education and information about healthy lifestyles for children. It is a free event and is open to the public. The event will feature entertainment, activities and games, as well as free vaccinations by the Marion County Health Department. Councillor Cain stated that the event will be very entertaining, as well as informative, and she invited the entire community to participate in this bi-partisan event.

President Talley recognized Mayor Bart Peterson. Mayor Peterson offered the following comments regarding the 2006 Budget of the City and County.

Good evening! It's an honor to be with you on this historic day for Indianapolis and Marion County! This year, for the first time, the budgets for the city and the county have been put together by the city's Office of Finance and Management.

We are moving toward eliminating the distinction between city and county budgets. This, together with the additional control over municipal corporation budgets that the City-County Council has been given, and the authorization to merge the Indianapolis Police Department and the Marion County Sheriff's policing functions, means we are much closer to the goal of smaller, smarter, simplified, unified government here in our state's capital. The beneficiaries will be our taxpayers, who will get better service for less money.

We will now bring the same kind of fiscal discipline to the county side of the budget as we have brought to the city's budget. The problems of the past were not due to a lack of capability by our current and previous county auditors, but to a system that gave the auditor responsibility without authority, and gave county agencies authority without responsibility. The new state law consolidates the budgeting and financing roles for all of city and county government, promotes accountability, and promotes better budget planning for the future. The buck now stops here!

This change comes none too soon. The county budget is in deep trouble. I will detail our plan for rescuing it tonight, but make no mistake, until Indianapolis Works passes, the county budget will be on life support.

I am proud of the way this budget was put together in very trying times. First, we are using the new county option income tax money to fund all the Tier 1 priorities identified by the Criminal Justice Planning Council for fixing our broken criminal justice system. What does this mean in plain English? It means we are taking a huge step toward ending the early release of dangerous criminals onto the streets of Indianapolis because of jail overcrowding. We are funding more prosecutors, more resources for the criminal courts, and more equipment and people for the crime lab to move those arrested through the system faster.

The guilty need to be judged quickly and moved to state prison to serve their time. The innocent need to be sent home. Our jail cannot continue to be a long-term human warehouse – a monument to a grossly inefficient system. You deserve the credit for this because of your courageous bipartisan votes earlier this year.

The specific steps to end jail overcrowding were developed by a bipartisan group led by our county clerk, Doris Anne Sadler. Ms. Sadler and her committee deserve our gratitude for checking politics and parochialism at the door and looking for real solutions to a problem that has bedeviled us for years. Now our job is to fund these solutions and end the horrendous practice of releasing dangerous criminals who belong behind bars!

Second, there will be no cuts in public safety funding beyond those I announced in June. While other county agencies are being asked to make sacrifices similar to those made by city agencies, the Sheriff, prosecutor, criminal courts and other components of the criminal justice system are not.

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We have been, and will continue, searching for efficiencies and other cost-cutting steps in our criminal justice agencies, but we cannot increase funding for measures to end jail overcrowding with the right hand and cut the base funding for the very same agencies with the left. With a county budget in such deep trouble, this requires some aggressive steps, which I will outline shortly.

Third, we are continuing the course of strong fiscal discipline in city spending. For 2006, the city budget totals \$533.9 million or \$8.6 million less than the city's 2005 budget. This decrease comes despite a 12% increase in city employee health insurance costs, a 29% increase in fuel costs, and increases in many other contractual obligations. And, for the sixth straight year, there is no increase in property taxes to fund the city budget!

Finally, the budget I offer this evening begins solving the problems of tomorrow even as we grapple with the substantial challenges of today. We just learned that our county option income tax receipts will probably be at least \$8.5 million higher than previously projected. The city's share, just under 60% of the total, will be applied to paying down the pension obligation bonds used to fund this year's budget. Borrowing money to pay current pension obligations to our retired police officers and firefighters was a distasteful last resort for the 2005 budget. The sooner we can pay off those bonds the better.

To fully understand this year's budget proposal, a little history is required. Unigov united all the major components of city and county government except for police and fire services. As things have evolved, funding the city's police and fire departments and dealing with their unfunded pension liabilities have proven to be the biggest challenges in local government. For at least twenty years, mayors and councils have tried every creative idea they could think of to keep the city's head above water without huge tax increases.

In recent years, the county's budget situation has been deteriorating. A growing Marion County required more services. The Sheriff's responsibilities increased dramatically as population shifted to the outer townships. Added burdens were placed on the courts, the jail, the prosecutor, probation and other partners in the criminal justice system. And costs imposed by the state, such as juvenile incarceration charges and child welfare expenses, over which you - the county's fiscal body - had absolutely no control, exploded.

In 2001, we received a major boost from the state when the legislature passed a new pension relief bill. As a result of that temporary reprieve, the city - which was by no means comfortable, but in less of a state of crisis than the county - was in a position to help fund the county's budget. Since 2001, the city has provided \$56 million of direct support to the county's budgets! That's why the county was able to make it to February 2005 without any general tax increases.

But all the while, both the city and county saw their financial health decline. From 2002 to 2005, annual COIT distributions to the city and county decreased from \$121.6 million to \$104.7 million. The cumulative loss in COIT from the national economic downturn was more than \$32 million over that period. Assessed value growth for Marion County property has been stagnant at 1% per year, leaving us unable to keep up with inflationary costs for fixed contracts. To protect our dwindling city savings account, I ordered significant cuts in spending. We cut \$55 million out of the city's budget in 2003 and 2004, before I even proposed Indianapolis Works. City workers without contracts received no raises in 2004 or 2005. I, and the top twenty leaders in my administration, took pay cuts in 2003 that have continued to today. As evidence of our frugality, the city government's share of the local property tax bill declined from 30% in 1999 to 26.8% in 2005.

It was in this environment that I proposed Indianapolis Works last August. Without too much rehashing, let me just note that Indianapolis Works would reduce the overall cost of local government by \$35.7 million per year. The portions of it that passed the legislature allow us to reap something less than \$10 million in annual savings, and that is only if the police merger is passed by the City-County Council. The failure of the legislature to pass the lion's share of Indianapolis Works is why I announced another \$28 million in city budget cuts and the elimination of nearly 200 jobs by attrition in June - the most painful cuts so far.

The city's portion of the budget I propose tonight was largely explained at the time the budget cuts were announced. We will be able to make it through the rest of 2005 and to the end of 2006 with a

modest balance – very modest – left in our savings account. It means a third year of no raises for those city employees not covered by contracts, but again we will pick up 100% of the increased cost of their health insurance premiums, so no employee should lose money.

I said in June that I would explain tonight how we would raise \$2.5 million in additional public safety-related revenues. This is the plan I ask you to approve. As many other cities already do, we would increase the fees we charge for responding to false automated fire and burglar alarms, trash fires, hazardous materials spills, and for providing accident reports. Additionally, we would begin charging for Indianapolis Fire Department responses to motor vehicle accident scenes. The Office of Corporation Counsel would work with the Indianapolis Police Department and IFD to collect these fees. Finally, the city would step up its parking ticket enforcement efforts by increasing the base fee, doubling the fee if it is late, and streamlining the collections process. The expected revenue generated by these efforts is at least \$2.5 million annually.

I might mention here that the city budget includes no raises for Indianapolis Police Department officers for 2006. The IPD contract is the only one that expires in 2005. We have begun contract negotiations with the Fraternal Order of Police. If those negotiations result in raises for 2006, we will submit a separate fiscal ordinance.

The strict fiscal discipline we have brought to the city budget for six years will now be applied to the county budget as well. We start tonight, but we have more work to do this year and next. In spite of tireless work and being quick studies, City Controller Bob Clifford and his team have only been working with the budgets of all the entities that make up the county budget for a few weeks. While some cuts could be tailored, in most cases, the Office of Finance and Management simply gave agencies, other than those involved with criminal justice, a percentage cut and will allow them to decide how to make it work. However, we will ask those county employees not covered by contracts to go without raises for 2006, but this year we will pick up 100% of the increased cost of their health insurance premiums.

Not cutting the agencies that comprise the criminal justice system means that the overall budget cuts on the county side are relatively small, because the biggest county agencies are the public safety and criminal justice agencies. Consequently, figuring out how to make the county budget work was a Herculean task. The county was already underfunded for 2005, the current fiscal year, by more than \$15 million when we started. For 2006, we were faced with requests from county agencies that were \$21 million higher than the amounts appropriated in 2005. Most of these requests were for real operating expenses such as fuel for Sheriff's vehicles, managing an election in 2006, inmate medical care, criminal court costs and other critical recurring expenses. By utilizing the county's portion of the higher-than-anticipated COIT, cutting administrative budgets, and by using a part of the second year's COIT increase, we were able to piece together a budget that works through 2006 without a property tax increase.

Using a portion of the 2007 COIT is really a cash flow measure, more akin to the tax warrant program run by our bond bank than to the pension obligation bonds approved last year. The reason is that there is a source of new revenue coming on line to pay off the debt.

If all this sounds as though we remain in a precarious financial situation, we do. That is why we need Indianapolis Works. The \$21 million in savings each year from the fire merger alone would make a big difference in funding local government. To those who say Indianapolis Works won't solve all our financial challenges for all time, I ask, What would? Indianapolis Works is just one – but a very powerful one – of the tools necessary to build a more solid fiscal foundation for our city and county. And even if we have problems in the future, with Indianapolis Works we'll always be \$35.7 million per year better off.

I cannot conclude without mentioning the dark cloud that hangs over our heads and the heads of all mayors and city council members across our state. No matter how brilliantly we, together, manage the difficult situation we find ourselves in today, all our efforts could well be rendered useless by several recent actions of the state legislature.

At a time when local property taxpayers are still reeling from the court ordered reassessment in 2003, we face the prospect of higher property taxes in Indianapolis and Marion County without any increases in local spending. Why? Because state government has been steadily passing the cost of its business down to the local property taxpayer.

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Let me give you a few examples:

First, the state budget that was just passed cuts the long-standing state support for property taxpayers through the property tax replacement credit. Even if we do not raise rates in Marion County, property taxes will increase by about \$2.6 million a year in 2006 and 2007. This makes the upcoming phase-out of the inventory tax - which was a part of the state tax restructuring plan in 2002 – even more painful for homeowners.

Second, the state budget changed the school funding formula to make schools more reliant on property taxes and less reliant on state funding.

Third, the state has required local taxpayers to pay one-half of the costs of juvenile detention. In every other instance in the state correctional system, the state is charged with paying for the incarceration of convicted offenders. The state claims Marion County owes over \$60 million and is mandating an immediate tax increase to collect it. We believe this is wrong and have asked the courts to decide the matter once and for all.

Finally, the state Department of Child Services has asked for \$30 million more for the Family & Children Fund than what was spent in 2004 and what was budgeted for 2005 - an almost 50% increase in two years! That doesn't include a request for the City-County Council to authorize a \$15 million loan to cover the shortfall for 2005. All the painful city budget cuts I announced in June would be negated by this one increase. And the worst part is – those who spend the money have no responsibility for raising it. And those who must raise it have no control over how much is spent.

At a time when we are asking every department of local government to be more efficient, tighten belts and cut costs, it is unfair for state officials to wipe away with the stroke of a pen the conservative fiscal philosophy we all have delivered for six years.

The bottom line is that unless the state legislature makes significant changes in the way state government does business, property taxes will go up, and there's nothing any of you, or I, can do about it.

This fall and through the next session of the General Assembly, I will work with other mayors and local officials across the state to convince the Governor and state lawmakers to join us in the battle for property taxpayers. We'll ask them to take a hard look at the system that passes the costs of state government to local taxpayers, and also to give local governments the tools and the flexibility they need to be efficient, cost-effective and accountable to the citizens that elect them. The taxpayers of this city, county and state deserve nothing less.

As difficult as this budget year has been, I believe we have turned the corner. A combined city and county budget allows us to impose strict fiscal discipline across the largest part of local government. In Indianapolis Works, we have a plan to significantly reduce the expenditure side of the ledger and bring better, more uniform services to the entire county. With the new COIT money, we can end the scourge of the early release of dangerous criminals onto our streets and reduce crime in Indianapolis.

We have asked much of city and county workers over the past several years. We've asked them not just to maintain the essential services our citizens deserve, but to do more with less. We've asked them to be creative, frugal and patient. Time and again, they have risen to the occasion.

Today, I'm also asking you, as well as every single elected official in this room and across this county, to also rise to the occasion and join me on this mission to cut the cost of government, to be ever vigilant in saving money for our taxpayers and to ensure local government is efficient, disciplined, responsible and accountable to the people we serve.

By working together, and always, always keeping the best interests of the people of Indianapolis in mind, we can keep our city on that same upward trajectory that has characterized us for the last 40 years.

Thank you.

The President called for a recess at 7:48 p.m. President Talley reconvened the City-County Council at 7:55 p.m.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, August 8, 2005, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Steve Talley  
President, City-County Council

July 25, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, July 27, 2005 and in the *Indianapolis Star* on Thursday, July 28, 2005, a copy of a Notice of Public Hearing on Proposal Nos. 327-329, 336-347, 350-352, and 354, 2005, said hearing to be held on Monday, August 8, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

July 21, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinance:

FISCAL ORDINANCE NO. 72, 2005 - approves an increase of \$250,000 in the 2005 budget of the Center Township Assessor (Property Reassessment Fund) to offset the reduction in the General Fund

FISCAL ORDINANCE NO. 73, 2005 - approves an increase of \$60,000 in the 2005 Budget of the Community Corrections Agency (State and Federal Grants Fund) to pay for facilitation services as criminal justice officials redesign the Juvenile Justice System, funded by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 79, 2005 - approves an increase of \$2,975,032 in the 2005 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to appropriate state funds for fiscal year 2005/2006, funded by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 80, 2005 - approves an increase of \$224,305 in the 2005 Budget of the Marion County Community Corrections (State and Federal Grants Fund) to appropriate juvenile funds for the fiscal year 2005/2006, funded by a grant from the Department of Corrections

FISCAL ORDINANCE NO. 81, 2005 - approves an increase of \$1,343,091 in the 2005 Budget of the Marion County Community Corrections (Home Detention User Fee Fund) to fund the first six months of fiscal year 2005/2006

FISCAL ORDINANCE NO. 82, 2005 – approves an increase of \$2,500 in the 2005 Budget of the Marion County Justice Agency (Law Enforcement Fund) for the purchase of one laptop computer, software, and two monitors for employees of the Agency

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FISCAL ORDINANCE NO. 83, 2005 - approves an increase of \$60,000 in the 2005 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to cover salary expense for Indianapolis Violence Reduction Partnership Project Coordination and related expenses

GENERAL ORDINANCE NO. 63, 2005 – amends the zoning ordinance to authorize certain law enforcement officers to carry out inspections relating to the enforcement of zoning ordinances and land use regulations; to restrict locations for storage in dwelling districts; to clarify the definition of inoperable vehicle; to clarify the fencing requirement for swimming pools and hot tubs, to eliminate screening requirements for swimming pools and hot tubs and to update state statute citations

GENERAL ORDINANCE NO. 64, 2005 – amends the Code and the Flood Control District Zoning Ordinance to update the Flood Insurance Rate Maps used to determine what property is in the floodway or floodway fringe

GENERAL ORDINANCE NO. 65, 2005 – authorizes intersection controls for Brookside Avenue and Steele Street (District 16)

GENERAL ORDINANCE NO. 66, 2005 – authorizes parking restrictions on Pennsylvania Street near 24th Street (Districts 15 and 9)

GENERAL ORDINANCE NO. 67, 2005 – authorizes parking restrictions on State Avenue from Pleasant Run Parkway South Drive to Washington Street (Districts 16 and 20)

GENERAL ORDINANCE NO. 68, 2005 – authorizes the removal of parking restrictions and meters on Missouri Street between Maryland Street and Washington Street (District 19)

GENERAL ORDINANCE NO. 69, 2005 - authorizes parking restrictions on Meridian Street near Bluff Avenue (District 19)

SPECIAL RESOLUTION NO. 47, 2005 – recognizes the Indianapolis Soapbox Derby and its three division winners

SPECIAL RESOLUTION NO. 48, 2005 – recognizes the Westside Weed & Seed Re-Integration Project

SPECIAL RESOLUTION NO. 49, 2005 – recognizes Coach Bob Chambers

SPECIAL RESOLUTION NO. 50, 2005 – recognizes Mark Morgan for helping America fight the war on terrorism

SPECIAL RESOLUTION NO. 51, 2005 – determines the need to lease approximately 47,720 square feet of office space at 1848 Ludlow Avenue for a Work Release Center of the Marion County Community Corrections Agency

Respectfully,  
s/Bart Peterson, Mayor

## **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

## **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of July 11, 2005. There being no additions or corrections, the minutes were approved as distributed.

## **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 404, 2005. The proposal, sponsored by Councillor Plowman, recognizes Maurice and Marilyn Maze for over 75 years of combined service to the Franklin Township Fire Department. Councillor Plowman read the proposal and presented Mr. and Mrs. Maze with copies of the document and Council pins. Mr. Maze thanked the Council for the recognition. Councillor Plowman moved, seconded by Councillor Randolph, for adoption. Proposal No. 404, 2005 was adopted by a unanimous voice vote.

Proposal No. 404, 2005 was retitled SPECIAL RESOLUTION NO. 52, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 52, 2005

A SPECIAL RESOLUTION recognizing Maurice and Marilyn Maze for over 75 years of combined service to the Franklin Township Fire Department.

WHEREAS, Maurice and Marilyn Maze, who have been married for over 47 years, have been tireless volunteers for the Franklin Township Fire Department and the Franklin community; and

WHEREAS, Mr. Maze has been a volunteer firefighter for over 50 years and Mrs. Maze has been a volunteer EMT for 25 years with the fire department; and

WHEREAS, Mrs. Maze was a nurse, member of the Ladies Auxiliary, served as secretary of the Wanamaker Volunteer Fire Department, and was at the forefront of emergency assistance when the State of Indiana developed and began certifying advanced EMTs; and

WHEREAS, Mr. Maze held the positions of president, vice-president, director, lieutenant and captain in the Wanamaker Volunteer Fire Department's Volunteer Corporation; and

WHEREAS, he used his knowledge as an electrician to keep the department's radios operational, was instrumental in getting the fire alert siren installed, played a large role in the upkeep of equipment for Rural Fire Dispatch, and was instrumental in remodeling Station 551 in Wanamaker, by providing hours of work to install the electrical system at the station; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Maurice and Marilyn Maze for over 75 years of combined volunteer service with the Franklin Township Fire Department.

SECTION 2. The Council extends its gratitude and appreciation to Mr. and Mrs. Maze and wishes them, their three children, and five grandchildren much success in the future.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 405, 2005. The proposal, sponsored by Councillors Randolph and Franklin, recognizes the combined efforts of the Indianapolis Police Department, Indianapolis Fire Department, and Marion County Sheriff's Department in a Congressional Medal of Honor recovery. Councillors Randolph and Franklin read the proposal and presented representatives with copies of the document and Council pins. Indianapolis Police Department (IPD) Detective Ron Gray, Indianapolis Fire Department (IFD) Dive Team Captain Mike Scott, and IPD Chief Michael Spears thanked the Council for the recognition. Councillor Randolph moved, seconded by Councillor Franklin, for adoption. Proposal No. 405, 2005 was adopted by a unanimous voice vote.

Proposal No. 405, 2005 was retitled SPECIAL RESOLUTION NO. 53, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 2005

A SPECIAL RESOLUTION recognizing the combined efforts of the Indianapolis Police Department, Indianapolis Fire Department, and Marion County Sheriff's Department in a Congressional Medal of Honor recovery.



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WHEREAS, on Thursday, July 14, 2005, while in Indianapolis speaking at a local hotel to a group of veterans, Vietnam war veteran Sammy L. Davis' Congressional Medal of Honor (along with other sentimental documents and a collection of speeches he has delivered over the years) was stolen from his locked vehicle trunk; and

WHEREAS, thanks in part to IPD Detective Ron Gray, the search initially brought the Indianapolis Fire Department Dive Team to the White River where Private Mike Scott, a recent graduate from dive school, made his first operational dive; and

WHEREAS, on behalf of the combined and dedicated efforts of the Indianapolis Police Department, Indianapolis Fire Department, and Marion County Sheriff's Department; a recovery was made; shortly thereafter reuniting Mr. Davis and his medal at a special ceremony at the Indiana War Memorial; and

WHEREAS, the precious medal (the nation's highest military honor) was presented to Mr. Davis by President Lyndon B. Johnson and has also been touched by Mother Theresa and the Pope, and the Indianapolis law enforcement agencies involved in the recovery were honored to find and return it; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council gives special recognition to all of the dedicated individuals involved in the recovery.

SECTION 2. The Council extends a special congratulations to Mr. Davis, who is the only living recipient of the Congressional Medal of Honor from Indiana.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 406, 2005. The proposal, sponsored by Councillors Pfisterer and Talley, recognizes the USS Indianapolis Memorial Museum, Inc. Councillor Pfisterer moved, seconded by Councillor Sanders, to postpone Proposal No. 406, 2005 until September 19, 2005. Proposal No. 406, 2005 was postponed by a unanimous voice vote.

PROPOSAL NO. 407, 2005. The proposal, sponsored by Councillor Pfisterer, recognizes the Speedway Public Safety Committee. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Speedway Police Chief Jeffrey Dine, Captain Alan Jones, and IPD Deputy Chief Tim Harty thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor Franklin, for adoption. Proposal No. 407, 2005 was adopted by a unanimous voice vote.

Proposal No. 407, 2005 was retitled SPECIAL RESOLUTION NO. 54, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 2005

A SPECIAL RESOLUTION recognizing the Speedway Public Safety Committee.

WHEREAS, the town of Speedway Chief of Police, Jeffrey L. Dine, is the Chairman of the Speedway Public Safety Committee, which is responsible for all aspects of public safety for the three most populated, single-day sporting events in the world (the Indianapolis 500 Mile Race, the United States Grand Prix-Formula One, and the NASCAR 400 Mile Race), all of which are held at the Indianapolis Motor Speedway; and

WHEREAS, it is the mission of the Committee to ensure a unified delivery of services in order to provide for the security and safety of guests and staff of the Indianapolis Motor Speedway during its major events. The Committee is responsible for the coordination of local, state, and federal public safety agencies; and

WHEREAS, Chief Dine is ultimately responsible for all aspects of public safety for these events including planning, personnel and resource management, and the incident command system utilized during these races. The Committee is comprised of nine sub-committees which have specific areas of responsibility playing a role in public safety; and

WHEREAS, the traffic management and public safety measures implemented for these events are used as models for other venues throughout the country. For example, the NASCAR Director of Security and representatives from the Texas Motor Speedway have observed the plans executed by the Speedway Police Department and the assisting agencies for the purpose of implementing these measures at their respective racing facilities; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council offers congratulations to Chief Dine and the many others who are dedicated to the public safety and security.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

President Talley passed the gavel to Vice President Sanders.

PROPOSAL NO. 408, 2005. The proposal, sponsored by Councillor Talley, recognizes the celebration of Indianapolis Life's 100<sup>th</sup> Anniversary. Councillor Talley read the proposal and stated that it will be presented to the company at a later time. He moved, seconded by Councillor Gibson, for adoption. Proposal No. 408, 2005 was adopted by a unanimous voice vote.

Proposal No. 408, 2005 was retitled SPECIAL RESOLUTION NO. 55, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 2005

A SPECIAL RESOLUTION recognizing the celebration of Indianapolis Life's 100<sup>th</sup> Anniversary.

WHEREAS, Indianapolis Life Insurance Company was formed in Indianapolis during the summer of 1905 and is now celebrating a century of service and has been headquartered in Indianapolis since its founding and now ranks among the nation's leading life insurance companies; and

WHEREAS, this publicly-owned company serves millions of policyholders in 48 states and the District of Columbia through more than 2,900 general agents and 85 independent marketing organizations, and this top-rated, value-based company now provides more than \$35.3 billion of life insurance protection for its customers; and

WHEREAS, Indianapolis Life has compiled a remarkable record of community involvement and philanthropy in Greater Indianapolis and the company has long demonstrated its civic virtue through acts of integrity, responsibility, respect, compassion, and family-centered values; and

WHEREAS, the company now operates with those same characteristics as a subsidiary of AmerUS Group Co., and Iowa Corporation; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proclaims August 23, 2005 as Indianapolis Life Insurance Day and calls upon all its residents to join in commemoration of the 100<sup>th</sup> anniversary of one of the City's most outstanding corporate citizens.

SECTION 2. The Mayor is invited to join in this resolution by affixing his signature hereto.

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SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Vice President Sanders returned the gavel to President Talley.

PROPOSAL NO. 334, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 334, 2005 on July 13, 2005. The proposal, sponsored by Councillors Gray, Talley and Borst, appoints Eugene C. Hollander to the Marion County Public Defender Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal No. 334, 2005 was adopted on the following roll call vote; viz:

*21 YEAS: Abdullah, Bowes, Boyd, Bradford, Cockrum, Conley, Day, Franklin, Gibson, Gray, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Talley*

*0 NAYS:*

*8 NOT VOTING: Borst, Brown, Cain, Keller, Langsford, Plowman, Schneider, Speedy*

Proposal No. 334, 2005 was retitled COUNCIL RESOLUTION NO. 67, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 67, 2005

A COUNCIL RESOLUTION appointing Eugene C. Hollander to the Marion County Public Defender Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Public Defender Board, the Council appoints:

Eugene C. Hollander

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal Nos. 371-374, 2005 on July 12, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 371, 2005. The proposal, sponsored by Councillors Conley and Moriarty Adams, approves the Mayor's appointment of Liz J. Raynor as hearing officer to preside over the administrative adjudication of parking citations. PROPOSAL NO. 372, 2005. The proposal, sponsored by Councillors Conley and Moriarty Adams, approves the Mayor's appointment of Susan Preble as hearing officer to preside over the administrative adjudication of parking citations. PROPOSAL NO. 373, 2005. The proposal, sponsored by Councillors Conley and Moriarty Adams, approves the Mayor's appointment of Juli Paini as hearing officer to preside over the administrative adjudication of parking citations. PROPOSAL NO. 374, 2005. The proposal, sponsored by Councillors Conley and Moriarty Adams, approves the Mayor's appointment of LeAnnette M. Pierce as hearing officer to preside over the administrative adjudication of parking citations. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Boyd moved, seconded by

Councillor Conley, for adoption. Proposal Nos. 371-374, 2005 were adopted on the following roll call vote; viz:

*20 YEAS: Abdullah, Bowes, Boyd, Bradford, Cockrum, Conley, Day, Franklin, Gibson, Gray, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Talley*

*0 NAYS:*

*9 NOT VOTING: Borst, Brown, Cain, Keller, Langsford, Plowman, Randolph, Schneider, Speedy*

Proposal No. 371, 2005 was retitled COUNCIL RESOLUTION NO. 68, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 2005

A COUNCIL RESOLUTION approving the Mayor's appointment of Liz J. Raynor as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Indiana Code § 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Liz J. Raynor to serve as hearing officer at his pleasure for a term of one (1) year; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Liz J. Raynor is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for the term of one (1) year.

SECTION 2. This ordinance shall be in effect upon adoption and compliance with I.C. § 36-3-4-14.

Proposal No. 372, 2005 was retitled COUNCIL RESOLUTION NO. 69, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 2005

A COUNCIL RESOLUTION approving the Mayor's appointment of Susan Preble as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Indiana Code § 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Susan Preble to serve as hearing officer at his pleasure for a term of one (1) year; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Susan Preble is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for the term of one (1) year.

SECTION 2. This ordinance shall be in effect upon adoption and compliance with I.C. § 36-3-4-14.

August 8, 2005

Proposal No. 373, 2005 was retitled COUNCIL RESOLUTION NO. 70, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 70, 2005

A COUNCIL RESOLUTION approving the Mayor's appointment of Juli Pains as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Indiana Code § 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Juli Pains to serve as hearing officer at his pleasure for a term of one (1) year; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Juli Pains is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for the term of one (1) year.

SECTION 2. This ordinance shall be in effect upon adoption and compliance with I.C. § 36-3-4-14.

Proposal No. 374, 2005 was retitled COUNCIL RESOLUTION NO. 71, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 2005

A COUNCIL RESOLUTION approving the Mayor's appointment of LeAnnette M. Pierce as hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County.

WHEREAS, pursuant to Indiana Code § 36-3-3-8 and Section 103-73 of the "Revised Code of the Consolidated City and County," a mayoral appointment of a hearing officer to preside over the administrative adjudication of parking citations on behalf of the Consolidated City of Indianapolis and Marion County is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of LeAnnette M. Pierce to serve as hearing officer at his pleasure for a term of one (1) year; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. LeAnnette M. Pierce is approved and confirmed by the City-County Council to serve as hearing officer at the pleasure of the Mayor for the term of one (1) year.

SECTION 2. This ordinance shall be in effect upon adoption and compliance with I.C. § 36-3-4-14.

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 393, 2005. Introduced by Councillors Mahern and Talley. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the expansion of the Professional Sports Development Area (PSDA)"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 394, 2005. Introduced by Councillors Mahern and Day. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves financing for infrastructure for the Brokenburr Redevelopment Project, to be repaid with housing tax increment

financing (TIF) proceeds"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 395, 2005. Introduced by Councillors Nytes and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant to Indiana University in the amount of \$41,050 for the purpose of financing educational access programming on the educational access channels of the franchised cable systems in Marion County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 396, 2005. Introduced by Councillors Nytes and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves a public purpose grant to Indiana Reading and Information Service (IRIS), a division of Metropolitan Indianapolis Public Broadcasting, Inc., in the amount of \$35,000 for the purpose of providing radio reading programs for the blind and print-disabled in Marion County"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 397, 2005. Introduced by Councillors Mahern and Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code regarding the Flood Control Zoning Ordinance to update Flood Insurance Rate Maps and fixes a time when the same shall take effect"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 398, 2005. Introduced by Councillors Conley and Brown. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the Council is interested in purchasing land owned by Eastside Properties, Inc. necessary for intersection improvements at 38th Street and German Church Road"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 399, 2005. Introduced by Councillors Conley and Brown. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the Council is interested in purchasing land owned by the Pechette family necessary for intersection improvements at 38th Street and German Church Road "; and the President referred it to the Public Works Committee.

PROPOSAL NO. 400, 2005. Introduced by Councillor Abdullah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Pennsylvania Street between Washington Street and Court Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 401, 2005. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Wade Street near Boyd Avenue (District 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 402, 2005. Introduced by Councillor Franklin. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls at 65th Street and Carroll Road (District 12)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 403, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which creates a user fee for deployment of public safety services and creates non-reverting funds with authority for expenditures or

appropriations from the said funds"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 409, 2005. Introduced by Councillors Talley and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Police Special Service District Fiscal Ordinance which adopts the annual budget for the Police Special Service District for 2006 "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 410, 2005. Introduced by Councillors Talley and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fire Special Service District Fiscal Ordinance which adopts the annual budget for the Fire Special Service District for 2006"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 411, 2005. Introduced by Councillors Talley and Conley. The Clerk read the proposal entitled: "A Proposal for a Solid Waste Collection Special Service District Fiscal Ordinance which adopts the annual budget for the Solid Waste Collection Special Service District for 2006"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 412, 2005. Introduced by Councillors Talley and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the Metropolitan Emergency Communications Agency for 2006"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 413, 2005. Introduced by Councillors Talley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the Revenue Bonds Debt Service Funds for 2006"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 414, 2005. Introduced by Councillors Talley and Bowes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for the Marion County Office of Family and Children for 2006"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 415, 2005. Introduced by Councillors Talley, Sanders and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the annual budget for Indianapolis and Marion County for 2006"; and the President referred it to the Various Committee.

PROPOSAL NO. 432, 2005. Introduced by Councillors Talley, Sanders and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves the appropriation of the proceeds of the "City of Indianapolis, Indiana, Limited Recourse County Option Income Tax Revenue Anticipation Notes" in an amount not to exceed Sixteen Million Dollars (\$16,000,000)"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 433, 2005. Introduced by Councillors Talley, Sanders and Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which approves the issuance of "City of Indianapolis, Indiana, Limited Recourse County Option Income Tax Revenue Anticipation Notes" in an original aggregate principal amount not to exceed in an amount not to exceed Fifteen Million Dollars (\$15,000,000)"; and the President referred it to the Administration and Finance Committee.

**SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 416-421, 2005, PROPOSAL NO. 422, 2005, PROPOSAL NOS. 423-430, 2005 and PROPOSAL NO. 431, 2005. Introduced by Councillor Mahern. Proposal Nos. 416-421, 2005, Proposal No. 422, 2005, Proposal Nos. 423-430, 2005 and Proposal No. 431, 2005 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on July 21, 25, and 28, 2005. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 95-110, 2005, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 95, 2005.

2005-ZON-082

2206 AND 2240 EAST WERGES AVENUE, 3227 HARLAN STREET, AND 3216 SAINT PAUL STREET (Approximate Addresses), INDIANAPOLIS  
PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20.

ELEVATOR CONSTRUCTORS LOCAL # 34, by John W. Van Buskirk, requests a rezoning of 1.42 acres, being in the D-5 District, to the SU-7 classification to provide for use of existing improvements for a union hall and headquarters, including union office, meeting hall and vocational classrooms and training related to elevator union.

REZONING ORDINANCE NO. 96, 2005.

2005-ZON-085

7615 CRAWFORDSVILLE ROAD (Approximate Address) INDIANAPOLIS  
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 6.

NORTHWEST OPTICAL, by Stephen D. Mears, requests a rezoning of 0.98 acre, being in the D-A and SU-8 Districts, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 97, 2005.

2005-ZON-086

3651 AND 3725 NORTH KIEL AVENUE (Approximate Addresses), INDIANAPOLIS  
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 7.

BOARD OF SCHOOL COMMISSIONERS requests a rezoning of 16.52 acres, being in the D-4 District, to the SU-2 classification to legally establish an elementary school and a middle school and related accessory uses.

REZONING ORDINANCE NO. 98, 2005.

2005-ZON-087

3401 NORTH MERIDIAN STREET (Approximate Address), INDIANAPOLIS  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

BOARD OF SCHOOL COMMISSIONERS requests a rezoning of 14.71 acres, being in the D-9 District, to the SU-2 classification to legally establish a middle school and related accessory uses.

REZONING ORDINANCE NO. 99, 2005.

2005-ZON-092

1004-1018 AND 1023-1025 EAST MARKET STREET (Approximate Addresses), INDIANAPOLIS,  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15.

FRED C. ABEL requests a rezoning of 1.71 acres, being in the I-3-U (FF) and I-3-U Districts, to the C-3C (FF) and C-3C classifications to provide for office and residential uses.

REZONING ORDINANCE NO. 100, 2005.

2005-ZON-807

5230, 5240 AND 5250 BRADBURY AVENUE (Approximate Addresses), INDIANAPOLIS  
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19.

ARTEK PROPERTIES, INC., by Stephen D. Mears, requests a rezoning of 2.79 acres, being in the D-4 District, to the C-6 classification to provide for the construction of a hotel.



*August 8, 2005*

REZONING ORDINANCE NO. 101, 2005.

2005-ZON-042

1810 NATIONAL AVENUE (Approximate Address), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20.

INTECARE HOUSING, INC., by Ray Good, requests a rezoning of 2.28 acres, being in the D-4 District, to the D-6 classification to provide for the construction of a fifteen-unit one-story multi-family dwelling offering supportive housing for persons with mental illnesses.

REZONING ORDINANCE NO. 102, 2005.

2005-ZON-044

716 EAST 32<sup>ND</sup> STREET (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

ANTIOCH MISSIONARY BAPTIST CHURCH requests a rezoning of 0.38 acre, being in the D-4 District to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 103, 2005.

2005-ZON-045

3168 EAST FALL CREEK PARKWAY NORTH DRIVE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

ANTIOCH MISSIONARY BAPTIST CHURCH requests a rezoning of 0.24 acre, being in the D-4 District to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 104, 2005.

2005-ZON-076

6900 SOUTH MERIDIAN STREET (Approximate Address), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 23.

REFORMED PRESBYTERIAN CHURCH, by Michael J. Kias, requests a rezoning of 0.826 acre, being in the D-3 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 105, 2005.

2005-ZON-078

8050 BROOKVILLE ROAD (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 21.

A.J. ARMSTRONG, INC. requests a rezoning of 2.907 acres, being in the C-S District, to the C-3 classification to provide for parking for neighboring commercial uses.

REZONING ORDINANCE NO. 106, 2005.

2005-ZON-083

6315 CRAWFORDSVILLE ROAD (Approximate Address), TOWN OF SPEEDWAY

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 6.

ROL, LLC, by J. Murray Clark, requests a rezoning of one acre, being in the C-6 District, to the C-4 classification to provide for commercial uses.

REZONING ORDINANCE NO. 107, 2005.

2005-ZON-084

2233, 2236, 2240, 2249, AND 2316 NORTH PARK AVENUE, AND 519 AND 520 EAST 23<sup>RD</sup> STREET (Approximate Addresses), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

GREATER MORNINGSTAR BAPTIST CHURCH requests a rezoning of two acres, being in the D-8 District, to the SU-1 classification to legally establish, and provide for the expansion of religious uses.

REZONING ORDINANCE NO. 108, 2005.

2005-ZON-810 (AMENDED)

1111, 1200 AND 1400 WEST HANNA AVENUE (Approximate Addresses), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 22.

GTS PROPERTIES, L.L.C., by Philip C. Thrasher, requests a rezoning of 23.381 acres, being in the D-3 (FF) and I-3-S (FF) Districts, to the I-2-S (FF) classification to provide for a semi-trailer washing and decal removal/replacement business.

REZONING ORDINANCE NO. 109, 2005.

2005-ZON-818

1420 NORTH SENATE AVENUE(Approximate Address), INDIANAPOLIS  
CENTER TOWNSHIP,COUNCILMANIC DISTRICT # 15.

A AND T REALTY, by Thomas Michael Quinn, requests a rezoning of 0.8 acre being in the I-3-U (W-5) District, to the HD-2 (W-5) classification to provide for hospital related support uses.

REZONING ORDINANCE NO. 110, 2005.

2005-ZON-054

1630 AND 1634 EAST 46<sup>TH</sup> STREET (Approximate Addresses), INDIANAPOLIS  
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 9.

GERSHOM CME CHURCH requests a rezoning of 0.27 acre, being in the D-5 District, to the SU-1 classification to legally establish religious uses and to provide for construction of a new church facility.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 327, 2005. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 327, 2005 on July 14, 2005. The proposal, sponsored by Councillors Gray, Cockrum and Moriarty Adams, approves an increase of \$910,000 in the 2005 Budget of the Department of Parks and Recreation (Park General Fund and City Cumulative Capital Improvement Fund) to purchase a new facility for park maintenance operations. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Talley called for public testimony at 8:40 p.m.

Reverend Pamela M. Pinkney, citizen, asked what parks will receive this money and how that decision is made and how the church will be involved. Councillor Gray stated that these are funds for a maintenance barn and they are simply saving money by purchasing instead of renting space.

There being no further testimony, Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 327, 2005 was adopted on the following roll call vote; viz:

*23 YEAS: Abdullallah, Boyd, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Salisbury, Sanders, Schneider, Speedy, Talley*

*2 NAYS: Bradford, Cain*

*4 NOT VOTING: Borst, Bowes, Plowman, Randolph*

Proposal No. 327, 2005 was retitled FISCAL ORDINANCE NO. 90, 2005, and reads as follows:

#### **CITY-COUNTY FISCAL ORDINANCE NO. 90, 2005**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Nine Hundred Ten Thousand Dollars (\$910,000) in the Park General Fund and City Cumulative Capital Improvement Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Park General Fund and City Cumulative Capital Improvement Fund.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to purchase a new facility for parks maintenance operations.

August 8, 2005

SECTION 2. The sum of Nine Hundred Ten Thousand Dollars (\$910,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>CITY CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
4. Capital Outlay	<u>694,000</u>
TOTAL INCREASE	694,000
<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
4. Capital Outlay	<u>216,000</u>
TOTAL INCREASE	216,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CITY CUMULATIVE CAPITAL IMPROVEMENT FUND</u>
Unappropriated and Unencumbered City Cumulative Capital Improvement Fund	<u>694,000</u>
TOTAL REDUCTION	694,000
	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Park General Fund	<u>216,000</u>
TOTAL REDUCTION	216,000

SECTION 5. The projected December 31, 2005, fund balance for the City Cumulative Capital Improvement Fund is as follows:

Cash Balance as of end of May, 2005	12,209,096
Estimated remaining revenues to be received this year	<u>2,477,428</u>
Total Funds Available	14,686,524
2005 remaining CY and PY appropriations end of May, 2005	7,688,117
Proposed additional appropriation (this proposal)	<u>694,000</u>
Total Requirements	8,382,117
Estimated Fund Balance December 31, 2005	6,304,407

The projected December 31, 2005, fund balance for the Park General Fund is as follows:

Cash Balance as of end of May, 2005	1,147,238
Estimated remaining revenues to be received this year	<u>19,999,204</u>
Total Funds Available	21,146,442
2005 remaining CY and PY appropriations end of May, 2005	19,012,637
Proposed additional appropriation (this proposal)	<u>216,000</u>
Total Requirements	19,228,637
Estimated Fund Balance December 31, 2005	1,917,805

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 328, 2005. Councillor Gray reported that the Parks and Recreation Committee The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$50,000 in the 2005 Budget of the Department of Parks and Recreation (Federal Grants Fund) to purchase additional lunches for the 2005 Summer Lunch program, financed by a federal grant from the United States Department of Agriculture. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Talley called for public testimony at 8:44 p.m.

Reverend Pinkney submitted information about parks that she had asked questions about last year and still had not received any answers.

Councillor Cain asked if this is only available for children 18 years and under and if there is any way for this service to be misused. Joseph Wynns, Parks Department Director, stated that children have to qualify for free lunches, so there is a process. He stated, however, that if an 18-year-old came and needed a lunch, he would give it to them.

Councillor Bradford referred to an *Indianapolis Star* article and asked if there are a surplus of lunches and not enough children participating and if this money gets allocated to other things. Mr. Wynns said that the money is specifically allocated for school lunches and the number of children needing lunches increases every year, and they are using it all for lunches.

There being no further testimony, Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 328, 2005 was adopted on the following roll call vote; viz:

24 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Randolph, Salisbury, Sanders, Speedy, Talley  
2 NAYS: Cain, Schneider  
3 NOT VOTING: Keller, Pfisterer, Plowman

Proposal No. 328, 2005 was retitled FISCAL ORDINANCE NO. 91, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 91, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Fifty Thousand Dollars (\$50,000) in the Federal Grants Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to purchase additional lunches for the 2005 Summer Lunch program, financed by a federal grant from the United States Department of Agriculture.

SECTION 2. The sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>50,000</u>
TOTAL INCREASE	50,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>50,000</u>
TOTAL REDUCTION	50,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the

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appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 329, 2005. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 329, 2005 on July 14, 2005. The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$173,780 in the 2005 Budget of the Department of Parks and Recreation (Federal Grants Fund) to continue after school programs for youth at IPS schools Forest Manor Middle School and Gambold Middle School and will establish after-school programs at Washington Township schools Westlane Middle School and Northview Middle School, financed by federal grants. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Mansfield, Gibson, and Brown stated that these are good programs that keep kids off the street and out of trouble.

Councillor Bradford said that parents need to take more responsibility for keeping kids off the street and raising them properly and there is a lot of money being dumped into programs that could be better used elsewhere.

Councillor Cain asked if parents pay any fee for these programs. Mr. Wynns stated that there is a minimum fee based on a sliding income scale.

President Talley called for public testimony at 8:50 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Gibson, for adoption. Proposal No. 329, 2005 was adopted on the following roll call vote; viz:

23 YEAS: Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Speedy, Talley  
2 NAYS: Bradford, Schneider  
4 NOT VOTING: Abdullallah, Franklin, Keller, Plowman

Proposal No. 329, 2005 was retitled FISCAL ORDINANCE NO. 92, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 92, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional One Hundred Seventy Three Thousand Seven Hundred Eighty Dollars (\$173,780) in the Federal Grants Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to continue after school programs for youth at two IPS Schools: Forest Manor Middle School (4501 E. 32<sup>nd</sup> Street) and Gambold Middle School (3725 Kiel Avenue). This appropriation will also allow the establishment of after school programs at two Washington Township schools: Westlane Middle School (1301 W. 73<sup>rd</sup> Street) and Northview Middle School (8401 Westfield Boulevard), all of which are financed with federal grants.

SECTION 2. The sum of One Hundred Seventy Three Thousand Seven Hundred Eighty Dollars (\$173,780) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	132,590
2. Supplies	14,800
3. Other Services and Charges	<u>26,290</u>
TOTAL INCREASE	173,780

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>173,780</u>
TOTAL REDUCTION	173,780

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6 This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 336-347, 2005 on July 13, 2005. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 336, 2005. The proposal, sponsored by Councillors Moriarty Adams and Plowman, approves an increase of \$1,528,280 in the 2005 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund) for the following activities: HUD fraud investigations and youth re-entry programs within public housing weed and seed sites; purchase of bullet proof vests; technology upgrades including computers and dictation units; supplies and equipment for SCUBA, SWAT and the Emergency Response Group; upgraded building security; Hispanic/Latino youth outreach programs; weed and seed crime data collection; Marion County Sheriff's security training; and continuation of funding for deputy prosecutors in Juvenile and Community Prosecution units of the Marion County Prosecutor's Office, financed by grants from the federal departments of Justice and Housing and Urban Development. PROPOSAL NO. 337, 2005. The proposal, sponsored by Councillors Moriarty Adams and McWhirter, approves an increase of \$4,688,087 in the 2005 Budget of the Department of Public Safety, Emergency Management Division (Non-Lapsing Federal Grants Fund) to transfer funds between characters for an existing Homeland Security First Responder grant and to appropriate funds for a new grant to improve the communications capabilities and enhance prevention, response and recovery from a potential terrorist attack within Marion County, funded by a grant from the US Department of Homeland Security, State Domestic Preparedness Equipment Program. PROPOSAL NO. 338, 2005. The proposal, sponsored by Councillors Moriarty Adams, McWhirter and Brown, approves an increase of \$881,186 in the 2005 Budget of the Department of Public Safety, Fire Division (Federal Grants and Non-Lapsing Federal Grants Funds) to fund the Urban Search & Rescue Task Force for 2005-2006, including program staffing and management, medical screening for task force personnel, training, equipment storage and maintenance, and travel, financed by a grant from the Department of Homeland Security/Federal Emergency Management Agency and transfers between characters. PROPOSAL NO. 339, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$35,349 in the

2005 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to pay for sentencing consultants, evaluations client services assistant coordinator (part-time position) and travel expense, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 340, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$270,205 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund eight victim advocate positions for various divisions within the Prosecutor's Office, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 341, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$30,717 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to provide funding to Family Service Association for partial costs of staffing for A Child's Haven, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 342, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$64,130 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund the Salvation Army Social Service Center to provide quality shelter and support services to victims of domestic violence. PROPOSAL NO. 343, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$31,994 in the 2005 Budget of Marion County Prosecutor (State and Federal Grants Fund) to fund the Adult Protective Services Victim Assistance Program for Family Service Association, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 344, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$95,237 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to funds 2.5 trained child interviewers located at the Child Advocacy Center, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 345, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$30,199 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund Hispanic Outreach Project which provides accessibility to services for Hispanic individuals, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 346, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$23,804 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to purchase two (2) total stations that would computerize crash scene data and crash reconstruction in operating a vehicle while intoxicated, funded by a grant from the Indiana Criminal Justice Institute. PROPOSAL NO. 347, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$195,577 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to provide funding for "Centers of Hope" at all Marion County Hospitals, which provide care to victims of sexual assault, funded by a grant from the Indiana Criminal Justice Institute. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Talley called for public testimony at 9:08 p.m.

Reverend Pinkney stated that many of these proposals fund acts of warfare against the family and she asked why with regards to Proposal No. 345, 2005 only one race is singled out.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Langsford, for adoption. Proposal Nos. 336-347, 2005 were adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

*0 NAYS:*

*2 NOT VOTING: Nytes, Plowman*

Proposal No. 336, 2005 was retitled FISCAL ORDINANCE NO. 93, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 93, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional One Million Five Hundred Twenty Eight Thousand Two Hundred Eighty Dollars (\$1,528,280) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division for the following activities: HUD fraud investigations and youth re-entry programs within public housing weed and seed sites; purchase of bullet proof vests; technology upgrades including computers and dictation units, supplies and equipment for SCUBA, SWAT and the Emergency Response Group; upgraded building security; Hispanic/Latino youth outreach programs; weed and seed crime data collection; Marion County Sheriff's security training; continuation of funding for deputy prosecutors in Juvenile and Community Prosecution units of the Marion County Prosecutor's office, financed by grants from the federal departments of Justice and Housing and Urban Development.

SECTION 2. The sum of One Million Five Hundred Twenty Eight Thousand Two Hundred Eighty Dollars (\$1,528,280) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

1. Personal Services
  2. Supplies and Materials
  3. Other Services and Charges
  4. Capital Outlay
- TOTAL INCREASE

NON-LAPSING FEDERAL GRANTS

55,618  
208,304  
650,688  
613,670  
1,528,280

SECTION 4. The said additional appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS

Unappropriated and Unencumbered  
Non-Lapsing Federal Grants Fund  
TOTAL REDUCTION

1,528,280  
1,528,280

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 337, 2005 was retitled FISCAL ORDINANCE NO. 94, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 94, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Four Million Six Hundred Eighty Eight Thousand



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Eighty Seven Dollars (\$4,688,087) in the Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management and Planning Division to transfer funds between characters for an existing Homeland Security First Responder grant and to appropriate funds for a new grant to improve the communications capabilities and enhance prevention, response and recovery from a potential terrorist attack within Marion County, funded by a grant from the US Department of Homeland Security, State Domestic Preparedness Equipment Program.

SECTION 2. The sum of Four Million Six Hundred Eighty Eight Thousand Eighty Seven Dollars (\$4,688,087) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>EMERGENCY MANAGEMENT AND PLANNING DIV</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
2. Supplies	71,267
3. Other Services and Charges	4,298,040
4. Capital Outlay	<u>500,000</u>
TOTAL INCREASE	4,869,307

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>EMERGENCY MANAGEMENT AND PLANNING DIV</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>181,220</u>
TOTAL DECREASE	181,220

<u>NON-LAPSING FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>4,688,087</u>
TOTAL REDUCTION	4,688,087

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 338, 2005 was retitled FISCAL ORDINANCE NO. 95, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 95, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) transferring and appropriating an additional Eight Hundred and Eighty-one Thousand One Hundred and Eighty Six Dollars (\$881,186) in the Federal Grants and Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Fire Division, and reducing the unappropriated and unencumbered balance in the Consolidated County, Federal Grants and Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Fire Division, to fund the Urban Search & Rescue (US & R) Task Force for 2005-2006, including program staffing and management, medical screening for task force personnel, training, equipment, storage and maintenance, and travel, financed by a grant from the Department of Homeland Security/Federal Emergency Management Agency and transfers, as outlined below.

SECTION 2. The sum of Eight Hundred and Eighty-one Thousand One Hundred and Eighty Six Dollars (\$881,186) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

FEDERAL GRANTS FUND

1. Personal Services	46,558
5. Internal Charges	13,000
TOTAL INCREASE	59,558

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

NON-LAPSING FEDERAL GRANTS FUND

2. Supplies	123,032
3. Other Services and Charges	611,260
4. Capital Outlay	87,336
TOTAL INCREASE	821,628

SECTION 4. The said additional appropriation is funded by the following reductions:

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

NON-LAPSING FEDERAL GRANTS FUND

3. Other Services and Charges	46,558
TOTAL DECREASE	46,558

DEPARTMENT OF PUBLIC SAFETY

FIRE DIVISION

CONSOLIDATED COUNTY FUND

1. Personal Services	46,558
TOTAL DECREASE	46,558

FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Federal Grants Fund	13,000
TOTAL REDUCTION	13,000

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	775,070
TOTAL REDUCTION	775,070

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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Proposal No. 339, 2005 was retitled FISCAL ORDINANCE NO. 96, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 96, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Thirty-five Thousand Three Hundred Forty-nine Dollars (\$35,349) in the State and Federal Grants Fund for purposes of the Marion County Public Defender Agency and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Public Defender Agency to pay for sentencing consultants, evaluations client services assistant coordinator (part-time position) and travel expense.

SECTION 2. The sum of an additional Thirty-five Thousand Three Hundred Forty-nine Dollars (\$35,349) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>PUBLIC DEFENDER AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	17,500
1. Personal Services-fringes	1,349
2. Supplies	500
3. Other Services and Charges	<u>16,000</u>
TOTAL INCREASE	35,349

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>35,349</u>
TOTAL REDUCTION	35,349

SECTION 5. Local match of \$12,209 is funded by the following existing appropriations: County General

Existing appropriation for the Public Defender Agency	<u>COUNTY GENERAL FUND</u>
1. Personal Services	12,209

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 340, 2005 was retitled FISCAL ORDINANCE NO. 97, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 97, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Two Hundred Seventy Thousand Two Hundred Five Dollars (\$270,205) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to fund eight victim advocate positions for various divisions within the Prosecutor's Office.

SECTION 2. The sum of Two Hundred Seventy Thousand Two Hundred Five Dollars (\$270,205) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	219,371
1. Personal - fringes	<u>50,834</u>
TOTAL INCREASE	270,205

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>270,205</u>
TOTAL REDUCTION	270,205

SECTION 5. Local match of \$67,552 is funded by the following existing appropriations in the County Prosecutor's Budget

Existing appropriation for the Prosecutor	
3. Other Services and Charges	<u>DEFERRED FUND</u>
	67,552

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 341, 2005 was retitled FISCAL ORDINANCE NO. 98, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 98, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Thirty-Thousand Seven Hundred Seventeen Dollars (\$30,717) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to provide funding to Family Service Association for partial costs of staffing for A Child's Haven.

SECTION 2. The sum of Thirty-Thousand Seven Hundred Seventeen Dollars (\$30,717) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

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SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>30,717</u>
TOTAL INCREASE	30,717

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>30,717</u>
TOTAL REDUCTION	30,717

SECTION 5. Local match of \$10,239 is funded by the following existing appropriations: County General

Existing appropriation for the Prosecutor	
	<u>COUNTY GENERAL FUND</u>
3. Other Services and Charges	10,239

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 342, 2005 was retitled FISCAL ORDINANCE NO. 99, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 99, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Sixty-four Thousand One Hundred Thirty Dollars (\$64,130) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to fund the Salvation Army Social Service Center to provide quality shelter and support services to victims of domestic violence.

SECTION 2. The sum of Sixty-four Thousand One Hundred Thirty Dollars (\$64,130) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>64,130</u>
TOTAL INCREASE	64,130

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>64,130</u>
TOTAL REDUCTION	64,130

SECTION 5. Local match of \$16,033 funded by the Salvation Army.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 343, 2005 was retitled FISCAL ORDINANCE NO. 100, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 100, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Thirty-one Thousand Nine Hundred Ninety-four Dollars (\$31,994) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to fund the Adult Protective Services Victim Assistance Program for Family Service Association.

SECTION 2. The sum of Thirty-one Thousand Nine Hundred Ninety-four Dollars (\$31,994) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>31,994</u>
TOTAL INCREASE	31,994

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>31,994</u>
TOTAL REDUCTION	31,994

SECTION 5. Local match \$7,999 funded by the Family Service Association.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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Proposal No. 344, 2005 was retitled FISCAL ORDINANCE NO. 101, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 101, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Ninety-five Thousand Two Hundred Thirty-seven Dollars (\$95,237) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to fund 2.5 trained child interviewers located at the Child Advocacy Center.

SECTION 2. The sum of Ninety-five Thousand Two Hundred Thirty-seven Dollars (\$95,237) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	66,666
1. Personal Service - fringes	<u>28,571</u>
TOTAL INCREASE	95,237

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>95,237</u>
TOTAL REDUCTION	95,237

SECTION 5. Local match of \$23,810 funded by the following existing appropriations: Deferral Fund.

	<u>DEFERRAL FUND</u>
Existing appropriation for the Prosecutor	
1. Personal Services	23,810

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 345, 2005 was retitled FISCAL ORDINANCE NO. 102, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 102, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Thirty Thousand One Hundred Ninety-nine Dollars (\$30,199) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to fund Hispanic Outreach Project which provides accessibility to services for Hispanic individuals.

SECTION 2. The sum of Thirty Thousand One Hundred Ninety-nine Dollars (\$30,199) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>30,199</u>
TOTAL INCREASE	30,199

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>30,199</u>
TOTAL REDUCTION	30,199

SECTION 5. Local match of \$10,067 funded by Family Service Association.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 346, 2005 was retitled FISCAL ORDINANCE NO. 103, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 103, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, (2004) appropriating an additional Twenty-three Thousand Eight Hundred Four Dollars (\$23,804) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to purchase two (2) total stations that would computerize crash scene data and crash reconstruction in operating a vehicle while intoxicated in crash investigations.

SECTION 2. The sum of Twenty-three Thousand Eight Hundred Four Dollars (\$23,804) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>1,900</u>
4. Capital Outlay	<u>21,904</u>
TOTAL INCREASE	23,804



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SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>23,804</u>
TOTAL REDUCTION	23,804

SECTION 5. No local match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 347, 2005 was retitled FISCAL ORDINANCE NO. 104, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 104, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional One Hundred Ninety-five Thousand Five Hundred Seventy-seven Dollars (\$195,577) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Prosecutor to provide funding for "Centers of Hope" at all Marion County Hospitals, which provide care to victims of sexual assault.

SECTION 2. The sum of One Hundred Ninety-five Thousand Five Hundred Seventy-seven Dollars (\$195,577) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
3. Other Services and Charges	<u>195,577</u>
TOTAL INCREASE	195,577

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>195,577</u>
TOTAL REDUCTION	195,577

SECTION 5. Local match of \$48,895 funded by participating hospitals. Each hospital will provide a portion of the match.

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 350-354, 2005 on July 21, 2005. He asked for consent to vote on these proposals together. Councillor Bradford asked that Proposal No. 352, 2005 be voted on separately. Consent was given to vote on Proposal Nos. 350, 351, 353 and 354, 2005 together.

PROPOSAL NO. 350, 2005. The proposal, sponsored by Councillors Conley and Keller, transfers and appropriates \$34,526 in the 2005 Budget of the Department of Public Works, Fleet Services Division (Consolidated County Fund) to purchase mobile heavy duty vehicle lifts used to maintain fire apparatus and other heavy equipment, financed by a refund of a prior year purchase that is now in the fund balance. PROPOSAL NO. 351, 2005. The proposal, sponsored by Councillors Conley, Nytes, Borst, Boyd and Abdullah, approves an increase of \$2,000,000 in the 2005 Budget of the Department of Public Works, Engineering Division (Non-Lapsing Federal Grants Fund) to make infrastructure and streetscape improvements on 16th Street from Stadium Drive to Alonzo Watford Sr. Drive, financed by an appropriation from the federal government. PROPOSAL NO. 353, 2005. The proposal, sponsored by Councillors Conley and Keller, transfers and appropriates \$1,250,000 in the 2005 Budget of the Department of Public Works, Fleet Services Division (Consolidated County Fund) to pay additional costs for motor vehicle fuel due to rising fuel prices, financed by a transfer between characters and fund balance. PROPOSAL NO. 354, 2005. The proposal, sponsored by Councillors Conley, Nytes, Keller and Abdullah, approves an increase of \$10,000,000 in the 2005 Budget of the Department of Public Works, Engineering Division (Non-Lapsing Federal Grants Fund) to design and build a new interchange at Washington Street and I-65/I-70 and to remove the Market Street ramp access bridge to I-65/I-70, financed by an appropriation from the federal government. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Talley called for public testimony at 9:19 p.m. There being no one present to testify, Councillor Conley moved, seconded by Councillor Nytes, for adoption. Proposal Nos. 350, 351, 353, and 354, 2005 were adopted on the following roll call vote; viz:

*28 YEAS: Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 NAYS:*  
*1 NOT VOTING: Abdullah*

Proposal No. 350, 2005 was retitled FISCAL ORDINANCE NO. 105, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 105, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Thirty Four Thousand Five Hundred Twenty Six Dollars (\$34,526) in the Consolidated County Fund for purposes of the Department of Public Works, Fleet Services Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(h) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Fleet Services

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Division to purchase mobile heavy duty vehicle lifts used to maintain fire apparatus and other heavy equipment.

SECTION 2. The sum of Thirty Four Thousand Five Hundred Twenty Six Dollars (\$34,526) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS

FLEET SERVICES DIVISION

CONSOLIDATED COUNTY FUND

4. Capital Outlay	<u>34,526</u>
TOTAL INCREASE	34,526

SECTION 4. The said additional appropriation is funded by the following reductions:

CONSOLIDATED COUNTY FUND

Unappropriated and Unencumbered	
Consolidated County Fund	<u>34,526</u>
TOTAL REDUCTION	34,526

SECTION 5. The projected December 31, 2005, fund balance for the Consolidated County Fund is as follows:

Cash Balance as of end of May, 2005	46,476,096
Estimated remaining revenues to be received this year	<u>16,411,072</u>
Total Funds Available	62,887,168
2005 remaining CY and PY appropriations end of May, 2005	41,285,509
Proposed additional appropriation (this proposal)	34,526
Proposed additional appropriation (proposal # 353)	<u>194,000</u>
Total Requirements	41,514,035
Estimated Fund Balance December 31, 2005	21,373,133

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 351, 2005 was retitled FISCAL ORDINANCE NO. 106, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 106, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Two Million Dollars (\$2,000,000) in the Non-lapsing Federal Grants Fund for purposes of the Department of Public Works, Engineering Division, and reducing the unappropriated and unencumbered balance in the Non-lapsing Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Engineering Division to make infrastructure and streetscape improvements on 16<sup>th</sup> Street from Stadium Drive to Alonzo Watford Sr. Drive, financed by an appropriation from the federal government.

SECTION 2. The sum of Two Million Dollars (\$2,000,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>ENGINEERING DIVISION</u>	
	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
4. Capital Outlay	<u>2,000,000</u>
TOTAL INCREASE	2,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Non-lapsing Federal Grants Fund	<u>2,000,000</u>
TOTAL REDUCTION	2,000,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 353, 2005 was retitled FISCAL ORDINANCE NO. 107, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 107, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) transferring and appropriating an additional One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) in the Consolidated County Fund for purposes of the Department of Public Works, Fleet Services Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(h) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Fleet Services Division to pay additional costs for motor vehicle fuel due to rising fuel prices.

SECTION 2. The sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>FLEET SERVICES DIVISION</u>	
	<u>CONSOLIDATED COUNTY FUND</u>
2. Supplies	<u>1,250,000</u>
TOTAL INCREASE	1,250,000

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	
<u>FLEET SERVICES DIVISION</u>	
	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	156,000
5. Internal Charges	<u>900,000</u>
TOTAL DECREASE	1,056,000

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CONSOLIDATED COUNTY FUND

Unappropriated and Unencumbered	
Consolidated County Fund	<u>194,000</u>
TOTAL REDUCTION	194,000

SECTION 5. The projected December 31, 2005, fund balance for the Consolidated County Fund is as follows:

Cash Balance as of end of May, 2005	46,476,096
Estimated remaining revenues to be received this year	<u>16,411,072</u>
Total Funds Available	62,887,168
2005 remaining CY and PY appropriations end of May, 2005	41,285,509
Proposed additional appropriation (this proposal)	<u>194,000</u>
Total Requirements	41,479,509
Estimated Fund Balance December 31, 2005	21,407,659

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 354, 2005 was retitled FISCAL ORDINANCE NO. 108, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 108, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Ten Million Dollars (\$10,000,000) in the Non-lapsing Federal Grants Fund for purposes of the Department of Public Works, Engineering Division, and reducing the unappropriated and unencumbered balance in the Non-lapsing Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Engineering Division to design and build a new interchange at Washington Street and I-65/I-70 and to remove the Market Street ramp access bridge to I-65/I-70, financed by an appropriation from the federal government.

SECTION 2. The sum of Ten Million Dollars (\$10,000,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION

NON-LAPSING FEDERAL GRANTS FUND

4. Capital Outlay	<u>10,000,000</u>
TOTAL INCREASE	10,000,000

SECTION 4. The said additional appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered	
Non-lapsing Federal Grants Fund	<u>10,000,000</u>
TOTAL REDUCTION	10,000,000

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 352, 2005. The proposal, sponsored by Councillor Conley, approves an increase of \$200,000 in the 2005 Budget of the Department of Public Works, Policy Planning Division (Non-Lapsing Federal Grants Fund) to retrofit diesel-powered buses owned by the Indianapolis Public Schools (IPS) and IndyGo, financed by a grant from the Federal Environmental Protection Agency. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Talley called for public testimony at 9:22 p.m. There being no one present to testify, Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 352, 2005 was adopted on the following roll call vote; viz:

28 YEAS: *Abduallah, Borst, Bowes, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
1 NAY: *Bradford*

Proposal No. 352, 2005 was retitled FISCAL ORDINANCE NO. 109, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 109, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Two Hundred Thousand Dollars (\$200,000) in Non-Lapsing Federal Grants Fund for purposes of the Department of Public Works, Policy and planning Division, and reducing the unappropriated and unencumbered balance in the Non-Lapsing Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Words, Policy and Planning, to retrofit diesel-powered buses owned by the Indianapolis Public Schools (IPS) and IndyGo, financed by a grant for the Federal Environmental Protection Agency.

SECTION 2. The sum of Two Hundred Thousand Dollars (\$200,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS  
POLICY AND PLANNING

2. Supplies  
TOTAL INCREASE

NON-LAPSING FEDERAL GRANTS FUND

200,000  
200,000

SECTION 4. The said additional appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS FUND

Unappropriated and Unencumbered  
Non-Lapsing Federal Grants Fund  
TOTAL REDUCTION

200,000  
200,000

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SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 387, 2005. Councillor Mahern reported that on July 11, 2005, Proposal No. 387, 2005 was called out for a public hearing by the full Council. The proposal is a rezoning ordinance for Center Township, Councilmanic District 19, 2801 South Pennsylvania Street (approximate address) (2005-ZON-035). He stated that remonstrators and petitioners continue to negotiate a compromise and moved that the hearing be postponed until August 29, 2005. Proposal No. 387, 2005 was postponed by a unanimous voice vote.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 756, 2004. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 756, 2004 on March 22, April 12 and May 24, 2005. The proposal, sponsored by Councillors Boyd, Gray and Sanders, amends the Code establishing a Marion County Early Intervention Planning Council. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 756, 2004 was adopted on the following roll call vote; viz:

*29 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy*  
*0 NAYS:*

Proposal No. 756, 2004 was retitled GENERAL ORDINANCE NO. 70, 2005, and reads as follows:

#### **CITY-COUNTY GENERAL ORDINANCE NO. 70, 2005**

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code, Chapter 283, by the addition of a new Article V, establishing a Marion County Early Intervention Planning Council.

#### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Revised Code of the Consolidated City and County is hereby amended by the addition of Chapter 283, Article V, Divisions 1 and 2, establishing a Marion County Early Intervention Planning Council, to read as follows:

**ARTICLE V. MARION COUNTY EARLY INTERVENTION  
PLANNING COUNCIL\***

**DIVISION 1. GENERALLY**

**Sec. 283-501. Definitions.**

As used in this article, the following terms shall have the meanings ascribed to them:

- (a) *EIPC* means the Marion County Early Intervention Planning Council.
- (b) *Director* means the Director of the Marion County Office of Family and Children, unless the City – County Council elects to designate an existing organization as the county’s team for purposes of this article. If the council designates an existing organization pursuant to this subsection and Sec. 284-503, the Director shall be the chairperson of the designated organization.
- (c) *Executive team* means the members as determined by this Article.
- (d) *Participant agencies* include the Marion County Sheriff’s Department, Indianapolis Police Department, Marion County Prosecutor, Public Defender, Community Corrections, Beech Grove Schools, Decatur Township School Corporation, Indianapolis Public Schools, Franklin Township School Corporation, Lawrence Township School Corporation, Perry Township School Corporation, Pike Township School Corporation, Speedway School Corporation, Washington Township School Corporation, Warren Township School Corporation, Wayne Township School Corporation, Wishard Memorial Hospital, Marion County Office of Family and Children, Mayor of Indianapolis, Courts, and others as may from time to time be designated by the City-County Council.
- (e) *Courts* includes the Circuit and Superior Courts of Marion County.

**DIVISION 2. COUNCIL**

**Sec. 283-502.       Established; appointment and qualifications of members and of the chairperson.**

(a) There is hereby established the Marion County Early Intervention Planning Council, hereinafter designated as the EIPC.

(b) The purpose of the EIPC shall be to develop a plan for early intervention that is tailored to provide services targeted to the individual needs of children who:

- (1) have been either adjudicated as, or alleged in a proceeding initiated under I.C. 31-37, *et seq.*, to be delinquent children;
- (2) identified by the Marion County Office of Family and Children (“county office”), based on information received from:
  - (i) a school;
  - (ii) a social service agency;
  - (iii) a court;
  - (iv) a probation department;
  - (v) the child’s parent or guardian; or
  - (vi) an interested person in the community having knowledge of the child’s environment and family circumstances; and, after an informal investigation, as substantially at risk of becoming delinquent children; and
- (3) have been referred to the county office by, or with the consent of, the child’s parent, guardian, or custodian, for services to be provided through the plan based on an individual case plan for the child.

(c) The membership of the council shall be composed of the following members, each of whom shall serve at the pleasure of the appointing authority:

- (i) Two (2) members appointed by the judge or judges of the juvenile court, one (1) of whom is a representative of the probation department.



- (ii) Two (2) members appointed by the director of the county office as follows:
    - (1) One (1) is a member of the child welfare staff of the county office.
    - (2) One is either: an interested resident of the county; or a representative of a social service agency; who knows of child welfare needs and services available to residents of the county.
  - (iii) One (1) member appointed by the superintendent of the largest school corporation in the county.
  - (iv) Five (5) members appointed by the city-county council as follows:
    - (1) One (1) of whom is a representative of the remaining school corporations in the county.
    - (2) One (1) of whom is a representative of the community mental health centers that serve Marion County.
    - (3) One (1) appointed by the city-county council having experience or training in public accounting or public finance.
    - (4) One (1) member of the city-county council appointed by the minority leader.
    - (5) The majority leader or his designee who must also be a member of the city-county council.
  - (v) The Director as determined by the provisions of Sec. 283-501(b).
  - (vi) The Director may appoint one (1) additional member from among interested or knowledgeable residents of the community or of agencies providing services to or for children in the county.
- (d) A majority of the members shall constitute a quorum.
- (e) The Director may be counted for purposes of determining whether a quorum is present but may not vote on any proposal or issue before the members for a vote unless the vote by the Director would break an otherwise tie vote.

**Sec. 283-503. Designation of existing organization as the team.**

The council may elect to designate for purposes of this section an existing organization or group for purposes of this article. The group to be considered for such designation must include representatives of all appointing authorities described in Sec. 283-502.

**Sec. 283-504. Mission generally.**

It shall be the mission of the EIPC to develop a plan that:

- (1) promotes the welfare of children and self sufficiency of families with children at risk of abuse or neglect, dependency, or delinquency, as defined or described in this article.
- (2) promotes the prevention or reduction in the number of cases of child abuse, delinquency, or neglect that may require juvenile court intervention.
- (3) promotes the coordination of available resources to promote efficiency and avoid duplication of programs and services,
- (4) reduces or minimizes the cost of providing services to children and families with children who are or may become delinquent children.
- (5) reduces or eliminates to the extent possible the need to remove children from their parents, guardians, or custodians for foster home care or institutional placement.

**Sec. 283-505. Organization meeting.**

The Director or chairperson shall convene an organizational meeting of the members of the council appointed under subsection 502(b) of this article. The Director or chairperson shall serve as the chairperson of the team. The team shall select one (1) of its members as vice chairperson.

**Sec. 283-506. Initial plan.**

Before January 31, 2006 and before July 1 of each year thereafter, the council shall prepare and submit to the judge(s) having juvenile jurisdiction the council's plan for review and comment. The

judge(s) shall submit any comments to the chairperson not more than fifteen (15) calendar days after receiving the plan. The council shall before July 25, 2006, and January 25 of each year thereafter, transmit a copy of the initial plan, including any comments from the judge(s), to:

- (1) the Director; and
- (2) the state superintendent of public instruction.

**Sec. 283-507. Programs to be considered in preparing plan.**

The EIPC shall review and consider existing publicly and privately funded programs that are available or that could be made available in Marion County to provide supportive services to or for the benefit of children described in subsection 502(b) of this article without removing the child from the family home, including programs funded through the following:

- (1) Title IV-B of the Social Security Act (42 U.S.C. 620, *et seq.*).
- (2) Title IV-E of the Social Security Act (42 U.S.C. 670, *et seq.*).
- (3) Title XX of the Social Security Act (42 U.S.C. 1397, *et seq.*).
- (4) The Child Abuse Prevention and Treatment Act (42 U.S.C. 5106, *et seq.*).
- (5) Community corrections programs under I.C. 12-1.
- (6) Special education programs under I.C. 20-1-6-19.
- (7) All programs designed to prevent child abuse, neglect, or delinquency, or to enhance child welfare and family preservation administered by, or through funding provided by, the division of family and children, county offices, prosecutors, or juvenile courts, including programs funded under I.C. 12-19-7 and I.C. 31-40.
- (8) Probation user's fees under I.C. 31-40-2-1.
- (9) The child advocacy fund under I.C. 12-17-17.

**Sec. 283-508. Adoption of existing plan as initial plan.**

The council may adopt as its plan an existing plan for provision of family preservation services, as defined in I.C. 12-7-2-82.3, that:

- (1) is in effect in Marion County;
- (2) includes services for a child less than eighteen (18) years of age who reasonably may be expected to face out of home placement under I.C. 31-34 or I.C. 31-37 as a result of:
  - (A) dependency, abuse or neglect;
  - (B) emotional disturbance; or
  - (C) delinquency adjudication; and
- (3) addresses all of the objectives described in this article.

**Sec. 283-509. Comments and recommendations of director or superintendent of public instruction.**

The director or the state superintendent of public instruction may, not later than thirty (30) days after receiving the plan, transmit to the council and the city-county council any comments, including recommendations for modification of the plan, that the director or the state superintendent of public instruction considers appropriate.

**Sec. 283-510. Funding.**

- (a) Upon receiving the initial plan and each revised or updated plan, the city-county council shall consider the plan in developing the family and children's fund budget.
- (b) The city-county council may appropriate from the family and children's fund any amounts necessary to provide funding to implement the plan.

**Sec. 283-511. Meeting of EIPC.**

- (a) The Marion County Early Intervention Planning Council (EIPC) shall meet at least one (1) time each year to do the following:
  - (1) Develop, review, or revise a strategy that identifies;
    - (A) the manner in which prevention and early intervention services will be provided or improved;

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- (B) how local collaboration will improve children's services; and
- (C) how different funds can be used to serve children and families more effectively.

(2) Reorganize as needed and select its vice chairperson for the ensuing year.

(3) Review the implementation of the plan and prepare revisions, additions, or updates of the plan that the council considers necessary or appropriate to improve the quality and efficiency of early intervention child welfare services provided in accordance with the plan.

(4) prepare and submit to the city-county council a report on the operations of the plan during the preceding year and a revised and updated plan for the ensuing year.

(b) The chairperson or vice chairperson of the council or the city-county council may convene any additional meetings of the council that are, in the chairperson's or the vice chairperson's opinion, necessary or appropriate.

**Sec. 283-512. Officers and agencies to receive copies of plans and reports.**

The EIPC or the city-county council shall transmit copies of the initial plan, each annual report, and each revised plan to the following:

- (1) The Director.
- (2) The state superintendent of public instruction.
- (3) The Marion County Office of Family and Children.
- (4) The juvenile court.
- (5) The superintendent of each public school corporation in the county.
- (6) The local step ahead council.
- (7) Any public or private agency that:
  - (A) provides services to families and children in the county that requests information about the plan; and
  - (B) the council has identified as a provider of services relevant to the plan.

**Sec. 283-513. Publicizing plan to Marion County residents.**

EIPC or the city-county council shall publicize to residents of Marion County the existence and availability of the plan.

**Sec. 283-514. Use of plan by juvenile court and child protection services.**

The:

- (1) juvenile court, in implementing a program of informal adjustment for a child under I.C. 31-34-8; and
- (2) local child protection service, in proposing a voluntary services referral agreement for the benefit of a child under I.C. 31-33-13;

shall consider and use to the extent feasible any available services described in an early intervention plan approved under this article pursuant to I.C. 31-37-24, *et seq.*

SECTION 2: This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

PROPOSAL NO. 173, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 173, 2005 on April 27, May 9 and May 11, 2005. The proposal, sponsored by Councillors Moriarty Adams and Brown, amends the Revised Code provisions regarding the Marion County Criminal Justice Planning Council and the procedures for expenditures from the Drug Free Community Fund. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford stated that he is completely against this proposal as it is simply a political maneuver and public safety should be about protecting citizens and not about politics.

Councillor Moriarty Adams stated that when the Republicans were in control of the Council and appointment process, the make-up was no different.

Councillor Schneider stated that he does not understand why this commission needs to be stacked in someone's political favor as it is doing well as it is now.

Councillor Borst stated that he was originally a sponsor on this proposal, but must speak against it in its present form. He said that the Mayor agreed at the time this commission was formed to put people on there who would be accountable to the voters. Putting people on there for political reasons may lead to wasted votes. He said that the City Controller and the Director of the Department of Public Safety will not vote against the Mayor's views, and the Mayor already votes, so those are wasted votes. He said that the Auditor needs to stay on in order to keep some balance. He said that this proposal destroys the non-partisan spirit of this body, and the majority of current members are against this proposal and were not even consulted as to their opinions.

Councillor Keller said that depending on who wins the elections in 2006 and whether or not the consolidation goes through and the Sheriff retains his current power, this proposal gives the Mayor way too much significant power. No matter what party holds office, there need to be some checks and balances in place.

Councillor Gray said that for several years the Republicans have had control and stacked boards and commissions in their favor and there was no problem with that, and now it seems that the tables have turned and everyone has a problem with it.

Councillor Mahern said that previously, there were five Republicans and four Democrats serving and this simply shifts that make-up by one with six Democrats and five Republicans, and therefore, the Council is just as partisan as it was before.

Councillor Borst said that when this Council was formed, politics were not the factor, but instead it was elected officials. He said regardless of which party holds office, he believes all elected officials should be represented. He said that they could take him off and replace him with an elected official, and he would not care.

Councillor Bowes stated that the purpose of the Council needs to be considered, and the Auditor has even admitted that her functions are less policy-driven than some of these other offices.

Councillor Moriarty Adams moved, seconded by Councillor Brown, for adoption. Proposal No. 173, 2005 was adopted on the following roll call vote; viz:

*15 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley*

*14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*

Proposal No. 173, 2005 was retitled GENERAL ORDINANCE NO. 71, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 71, 2005

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code provisions regarding the Marion County Criminal Justice Planning Council.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE

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CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 283, Article II, of the "Revised Code of the Consolidated City and County," regarding the Marion County Criminal Justice Planning Council, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

**ARTICLE II. MARION COUNTY CRIMINAL JUSTICE PLANNING COUNCIL**

**DIVISION 1. GENERALLY**

**Sec. 283-211. Definitions.**

As used in this article, the following terms shall have the meanings ascribed to them: ~~in this section.~~

- (a) *CJPC* means the Marion County Criminal Justice Planning Council.
- (b) *Director* means the Director of the Marion County Justice Agency or its successor.
- (c) *MCJA* means the Marion County Justice Agency.
- (d) *Executive eCommittee* means the voting members ~~plus the Chief Public Defender and the Director of Public Safety of the CJPC.~~
- (e) *Participant aAgencies* include the Marion County Sheriff's Department, Indianapolis Police Department, Marion County Prosecutor, Public Defender, Community Corrections, Indianapolis Marion County Forensic Services Agency (Crime Lab) and Marion County Clerk.
- (f) *Courts* includes the Circuit and Superior Courts of Marion County.

**DIVISION 2. COUNCIL**

**Sec. 283-221. Established; appointment and qualifications of chairman.**

There is hereby established the Marion County Criminal Justice Planning Council, ~~hereinafter designated as the CJPC. The voting members of the eExecutive eCommittee shall elect the one of its members to serve as chairman of the CJPC, who shall be one of the executive committee's voting members. The voting members of the executive committee shall initially elect one of its voting members as its chairman and shall hold an election each year at its January meeting to elect the chairman for the next twelve (12) month period. The Chairman shall serve at the pleasure of the Executive Committee.~~

**Sec. 283-222. ~~Council~~ CJPC membership.**

The ~~council~~ CJCP CJPC shall be composed of the following members:

- (a) ~~Nine (9) voting~~ Eleven (11) members of the ~~eExecutive eCommittee~~:
  - (1) The Marion County Sheriff;
  - (2) ~~The Marion County Auditor~~ Controller of the City of Indianapolis;
  - (3) The Marion County Prosecutor;
  - (4) The Presiding Judge of the Marion Superior Court;
  - (5) The Marion County Clerk;
  - (6) The Mayor of the City of Indianapolis;
  - (7) The Chairman of the City-County Council Public Safety Committee;
  - (8) A member of Indianapolis--Marion County City-County Council appointed by its Minority Leader; ~~and~~ and;
  - (9) The President of the City-County Council.

~~(b) Three (3) non-voting members of the executive committee:~~

- (10) The Chief Public Defender; and
- ~~(2 11)~~ The Public Safety Director;

and

~~(eb) Fifteen (15)~~ Eighteen (18) advisory members:

- (1) The Chief of the Indianapolis Police Department;
- (2) The Director of Marion County Community Corrections;
- (3) The Chief of Marion County Probation;
- (4) The Director of the Indianapolis/Marion County Forensic Services Agency (i.e., "Crime Lab");
- (5) The Judge of the Marion County Superior Court, Juvenile Judge Division;
- (6) The Chief of Police of the Beech Grove Police Department;
- (7) The Chief of Police of the Lawrence Police Department;
- (8) The Chief of Police of the Speedway Police Department;
- (9) The Chief of Police of the Southport Police Department;
- (10) A representative of the Indiana State Police Department to be designated by its Superintendent;
- (11) The Chairman of the Information Technology Board;
- (12) A representative from the Indiana Department of Correction to be designated by its Director;
- (13) A representative from the City-County Indianapolis – Marion County Building Authority;
- (14) The Director of the Metropolitan Emergency Communications Agency (MECA);
- (15) The Judge serving as chairman of the Criminal Divisions of the Marion ~~County~~ Superior Courts;
- (16) A member of the Indianapolis or Marion County Bar Association appointed by the ~~m~~Mayor; and
- (17) An expert in criminal justice from the Indiana University School of Law appointed by the Marion County pProsecutor; and
- (18) The Marion County Auditor.

~~(ec)~~ Advisory members of the CJPC shall participate in the discussions of the CJPC. Advisory members do not have a vote on matters before the CJPC, nor have authority to make motions, calls for votes or otherwise affect the proceedings of the CJPC.

**Sec. 283-224. Mission generally.**

It shall be the mission of the CJPC to identify the needs and problems of their particular offices, agencies and courts to suggest answers and help find solutions to those needs and problems. It shall be the mission of the CJPC to study, forecast and make recommendations to the ~~full city-county~~ council regarding both short-term and long-term needs of law enforcement and the criminal justice system. The CJPC shall provide the city-county council with relevant annual financial needs information prior to and during the annual budget process.

**Sec. 283-225. Additional goals.**

The CJPC shall be charged with the following duties and goals which may or may not be delegated to MCJA Director or other relevant agencies within Marion County:

- (1) To confer with the appropriate city, county, regional and federal agencies concerned with law enforcement and the administration of justice for the purpose of improving the criminal justice system in Marion County.
- (2) To confer with the appropriate city, county, regional and federal agencies for the purpose of securing funds for the support of the MCJA and the CJPC, including adequate staff to conduct research in support of the CJPC's activities.
- (3) To advise law enforcement and the criminal justice agencies on improved policies in an effort to improve the ~~Marion County Criminal Justice System~~ in Marion County.
- (4) To assist in determining the means of financing any justice related information services.
- (5) To assist in the coordination of the ~~pParticipant a~~Agencies' and courts' common data base justice information system ~~and to manage and approve all expenditures necessary to maintain those portions of any existing or future common data base justice information system whose supervision is delegated to the CJPC, subject to section 281-212.~~
- (6) To coordinate studies and evaluations of any and all information needs and current operating systems in the ~~pParticipant a~~Agencies and courts with the information technology board in accordance with section 281-212.
- (7) To contract for technical and specialized assistance in administering the goals of the CJPC.
- (8) To cooperate with the information technology board in its annual plan and resource inventory of the ~~pParticipant a~~Agencies and courts.
- (9) To coordinate with the information technology board to develop, maintain and communicate information services policy for the ~~pParticipant a~~Agencies and courts.
- (10) To coordinate the development of job descriptions and salary levels.
- (11) To approve the employment ~~or retention by personal services contract~~ of a Director for the ~~Marion County Justice Agency MCJA~~.
- (12) To suggest and recommend standards for the efficient administration of the ~~Marion County criminal Justice System~~ of Marion County.
- (13) To assist in establishing standards for privacy of personally identifiable confidential information and security of systems and records of ~~pParticipant a~~Agencies and courts.
- (14) To delegate any functions to the ~~d~~Director, subject to review by the CJPC.
- (15) To hire necessary personnel not otherwise available in any existing agency within Marion County, who serve at the ~~d~~Director's pleasure according to law, to carry out its duties.
- (16) To undertake such other studies or programs related to or involving the ~~pParticipant a~~Agencies and courts as may be adopted by the CJPC or assigned to the CJPC by the city-county council.
- (17) To contract for assistance in the collection of money owed the MCJA and to add the costs of collection to the amount owed and collected.
- ~~(18) To administer the pretrial services division and its subdivisions.~~
- ~~(19) To administer the law enforcement fund and to have authority over expenditures from the fund.~~
- ~~(20) To administer the conditional release fund and have authority over expenditures from the fund.~~
- ~~(21)~~(19) To monitor the balances in and expenditures from the drug free community fund, and make recommendations to the ~~council~~ CJPC consistent with the comprehensive drug free community plan and the requirements of IC 5-2-11-5.

(221920) It shall not be construed that any authorization herein to perform any functions described supercedes any authorizations vested solely within the discretion of the city-county council.

**Sec. 283-226. Offices; quorum; meetings.**

(a) All contracts, agreements, resolutions and official communications of the CJPC shall be in writing and executed by these officers upon being authorized by motion passed by the CJPC by simple majority of its voting members present. In the event of a tie vote, the chairman shall cast an additional vote to break the tie.

(b) A quorum of the ~~council~~ CJPC shall be five (5) voting members.

(c) The ~~council~~ CJPC shall meet monthly at such place and time as may be set by the chairman and may meet at such other times and places as may be needed, called by the chairman for a particular purpose. Four (4) voting members may also call a meeting.

**DIVISION 3. MARION COUNTY CRIMINAL JUSTICE PLANNING COUNCIL DIRECTOR**

**Sec. 283-231. Director--Qualifications; responsibilities generally.**

(a) The ~~d~~Director shall have such qualifications and experience as set by the CJPC. The ~~d~~Director shall be selected from nominees approved by ~~a CJPC consisting of~~ the CJPC Chairman, the Mayor of Indianapolis and the Marion County Clerk. In the event that the Mayor of Indianapolis or the Clerk of Marion County is also serving as Chairman of the CJPC, then the third member of this CJPC shall be the Marion County Prosecutor.

(b) The ~~d~~Director shall be the senior administrator of the MCJA and shall act as technical advisor and provide staff support for the CJPC in its deliberations. The ~~d~~Director shall meet with the CJPC as an advisory member.

(c) The ~~d~~Director shall have the authority and responsibility to act for the CJPC in its name on a daily operational basis when the CJPC is not in session, but all such action shall be subject to the review of the CJPC.

**Sec. 283-232. Same--Powers and duties.**

The ~~d~~Director shall have the following additional specific duties:

- (1) To coordinate a review of information services activities, operations, requests and technical personnel of the ~~p~~Participant ~~a~~Agencies and courts, and provide recommendations on same to the ~~p~~Participant ~~a~~Agency, court or CJPC; to coordinate these matters with the Information Technology Board in accordance with section 281-212;
- (2) To receive and review with comment and recommendation all reports, requests and documents for the CJPC;
- (3) To communicate for and on behalf of the CJPC with the ~~p~~Participant ~~a~~Agencies and courts, other governmental units, and the private sector when the ~~council~~ CJPC is not in session;
- (4) To ~~receive~~ coordinate budget proposals for information services for the ~~p~~Participant ~~a~~Agencies and courts, and to assist, consistent with the direction given by the CJPC, in review and evaluation of the budgets and coordinate with the city-county annual information services master plan presenting comprehensive information technology needs to the Information Services Agency and the information technology board;
- (5) ~~To review all contracts and expenditures for information services related to the common database justice system development and submit same with comment and recommendation to the CJPC for action;~~
- (6) ~~To coordinate with the information technology board and the participant agencies and courts the preparation of a master plan for information services operations for all participant agencies and courts, consistent with the direction given from the CJPC;~~
- (7) To coordinate and supervise MCJA personnel, who serve at the ~~d~~Director's pleasure, to carry out the CJPC's duties, including those duties to study and forecast long-term criminal justice, law enforcement and detention resource needs for the county; and



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- (86) To coordinate and supervise such other studies or programs related to or involving the ~~p~~Participant ~~a~~Agencies and courts, as directed by the CJPC.

#### DIVISION 4. AGENCY

##### **Sec. 283-241. Marion County Justice Agency.**

The ~~Marion County Justice Agency~~ (MCJA) which shall be under the supervision of the ~~Marion County Criminal Justice Planning Council~~ CJPC through the ~~d~~Director. The CJPC shall approve the organization of MCJA along such lines as are consistent with principles of good management and the provisions of this article.

##### **Sec. 283-242. Duties of ~~d~~Director with respect to agency.**

MCJA shall be managed and supervised by the ~~d~~Director. The ~~d~~Director will be responsible for the planning, organization and management of MCJA consistent with the organization plans and policies approved by the CJPC.

##### **Sec. 283-243. Agency ~~f~~unction.**

MCJA shall provide coordination services to those local government ~~p~~Participant ~~a~~Agencies and courts designated by this article according to the direction given by the CJPC ~~and the city county information services master plan. MCJA, subject to the CJPC's direction, shall be the primary coordinator of information services for the participant agencies and courts, and shall receive systems and service requests from the participant agencies and courts, evaluate same and submit to the CJPC for approval or implement based on authority delegated by the CJPC, also subject to Sec. 285-212.~~ MCJA shall also perform those responsibilities delegated by the CJPC relating to coordination and oversight of long-range planning and forecasting of criminal justice, information technology needs, law enforcement and detention resource needs for the county.

##### **Sec. 283-244. Cooperation of other city and county agencies.**

All city and county agencies of government and officials thereof shall furnish the CJPC and MCJA with information as is necessary to carry out the purpose and responsibilities of the CJPC; provided, however, that no agency will be required to furnish information that is defined as being privileged under applicable laws.

##### **Sec. 283-245. Funding.**

The MCJA shall operate on a charge back system so that city ~~p~~Participant ~~a~~Agencies and courts shall reimburse the MCJA for funds expended on their behalf.

SECTION 2. Section 135-298 of the "Revised Code of the Consolidated City and County," regarding procedures for expenditures from the Drug Free Community Fund, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

##### **Sec. 135-298. Procedure for expenditures from the drug free community fund.**

(a) ~~The Marion County Drug Free Marion County, which is the l~~ocal ~~c~~oordinating ~~c~~ouncil established pursuant to IC 5-2-6-16(a) shall make recommendations for expenditures from the drug free community fund to the ~~Marion County Justice Agency Board~~ Criminal Justice Planning Council (hereinafter "CJPC").

(b) The chairman of the ~~justice agency board~~ CJPC shall appoint a three-member committee from the board to review the recommendations of the ~~local coordinating council~~ Drug Free Marion County. The ~~d~~Director of the ~~Marion County Justice Agency~~ ~~a~~Agency shall assist the committee as necessary. The committee shall report on its review to the ~~justice agency board~~ CJPC.

(c) At a public meeting of the ~~justice agency board~~ CJPC, and after receiving the report of the three-member committee and giving due consideration to the recommendations of the ~~local coordinating council~~ Drug Free Marion County, the ~~justice agency board~~ CJPC shall make recommendations to the city-county council.

(d) The recommendations made by the ~~justice agency board~~ CJPC shall be consistent with the comprehensive drug free community plan and the requirements of IC 5-2-11-5.

(e) No substantive rights or remedies are created or conferred on any person by the adoption of this section.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 266, 2005. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 266, 2005 on June 14, 2005. The proposal, sponsored by Councillors Conley, Talley, Brown, Mahern and Nytes, adds members to the audit committee and transforms the city internal audit agency into the city-county internal audit agency. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Nytes, for adoption. Proposal No. 266, 2005 was adopted on the following roll call vote; viz:

*28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

*0 NAYS:*

*1 NOT VOTING: Mansfield*

Proposal No. 266, 2005 was retitled GENERAL ORDINANCE NO. 72, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 72, 2005

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to add members to the audit committee and to transform the city internal audit agency to the city-county internal audit agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 191-22 of the "Revised Code of the Consolidated City and County," regarding external county audits, hereby is REPEALED.

SECTION 2. Sections 191-41, 191-42, and 191-43 of the "Revised Code of the Consolidated City and County," regarding the internal audit agency and audit committee, hereby are amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

**ARTICLE III. CITY-COUNTY INTERNAL AUDIT AGENCY**

**Sec. 191-41. Established.**

There is hereby established ~~an~~ a city-county internal audit agency for the purpose of investigating and auditing all operations of all departments of the city and county, including the offices of the township assessors. Such audits may be conducted either by agency personnel or under contract with independent auditors. This agency shall be responsible directly to the mayor.

**Sec. 191-42. Powers and duties.**

(a) The city-county internal audit agency shall have full authority to audit any department, division, agency or other area of the city or the county, including the offices of the township assessors, as deemed necessary by the ~~manager~~ administrator of the agency. The agency shall provide reports of all audits to the mayor, the president of the city-county council, and the manager or supervising elected or appointed official of any office or agency that is the subject of the report. Such reports shall be public records.

(b) The city-county internal audit agency may review the policies and expenditures of:

(1) Any department, division, agency or other area of the ~~consolidated~~ city or the county, including the offices of the township assessors;

(2) At the request of the president of the council, any municipal corporation, the budget of which is subject to appropriation or review by the council; or

~~(3) Any county office or officer if requested and agreed upon by that county office or officer;~~

~~(4)~~ The Indianapolis Bond Bank.

(c) The city-county internal audit agency may conduct efficiency and effectiveness reviews of stated policies and practices.

**Sec. 191-43. Audit committee.**

(a) There is hereby created an audit committee consisting of ~~five (5)~~ seven (7) members appointed as follows:

(1) A representative from the mayor's office appointed by the mayor;

(2) ~~A member~~ Two (2) members of the city-county council, one (1) of whom is a member of the political party having the largest representation on the council, and one (1) of whom is a member of the political party having the second-largest representation on the council, appointed by the city-county council;

(3) One (1) person who is qualified due to an involvement with financial matters and who is not an employee of the city or county shall be appointed by the city-county council; and

(4) ~~Two (2)~~ Three (3) persons, one (1) of whom is qualified due to an involvement with financial matters and who is not an employee of the city or county, and one (1) who is either a professional or business person and who is not an employee of the city or county, shall be appointed by the mayor.

(b) The members appointed under subsections ~~(a)~~(3) and ~~(a)~~(4) shall be appointed for terms of three (3) years ending December thirty-first of the third year following appointment.

(c) Each appointee may be removed only for cause by the respective appointing authorities. Vacancies shall be filled by whomever made the initial appointment for the duration of the unexpired term. The field representatives from the state board of accounts assigned to the city shall serve as ex officio members of the committee, with the city controller, county auditor, and the ~~manager~~ administrator of the city-county internal audit agency receiving notification of the meetings of the committee.

(d) The staff functions for the committee shall be provided by the ~~division of~~ city-county internal audit agency.

SECTION 3. Sections 191-46 and 191-47 of the "Revised Code of the Consolidated City and County," regarding the powers and duties of the audit committee and the manager and employees of the internal audit agency, respectively, hereby are amended by the addition of the language which is underscored, to read as follows:

**Sec. 191-46. Powers and duties.**

The committee shall be responsible for meeting with independent external auditors to discuss the scope of the annual ~~audit~~ audits of the city and the county, including the offices of the township assessors, and anything related to ~~such audits.~~ In addition, the committee shall oversee the affairs of the city-county internal audit agency to ensure adequate internal controls and procedures and to establish procedures and

controls with respect to auditing contracts. Finally, the committee shall serve as the informed resource regarding the auditing and accounting practices of the city and the county, including the offices of the township assessors, and thereby submit a report annually to the mayor and the council on its activities.

**Sec. 191-47. ~~Manager~~ Administrator and employees.**

(a) The administration of the city-county internal audit agency shall be under the control of the audit ~~manager~~ administrator.

(b) When the position of ~~manager~~ administrator of the agency becomes vacant, a new ~~manager~~ administrator shall be appointed by the mayor with the approval of the city-county council. All other vacancies in the agency shall be filled by the ~~manager~~ administrator. The employees of this agency shall be selected and qualified on the basis of professional qualifications without regard to political affiliation and may be dismissed only for good cause relating to the performance of their duties. No more than sixty-five (65) percent of the employees may be members of one (1) political party.

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 301, 2005. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 301, 2005 on June 14, 2005. The proposal, sponsored by Councillors Talley, Brown, Conley, Mahern and Nytes, gives effect to Senate Enrolled Act 307, 2005 and consolidates the human resources divisions of the city and the county. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gray moved, seconded by Councillor Gibson, to substitute a new Section 17 to give final decision making authority with new hires to the department or agency head with regard to confidential positions.

Councillor Borst asked if all County officials are okay with the proposal as it is now. Councillor Gray stated that he believes they are. Councillor Borst asked if they have even been contacted and it seems no one is really sure how the elected officials feel.

Councillor Schneider said that he would like time to review this new amendment. He moved, seconded by Councillor Borst to postpone Proposal No. 301, 2005 for further review.

Councillor Talley said that the motion was already made and seconded to amend, and this motion is out of order. He called for a voice vote on the motion to amend and ruled that the amendment passed. Councillor Borst called for a division vote. Proposal No. 301, 2005 was amended on the following roll call vote; viz:

*15 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley*

*14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*

Councillor McWhirter asked if a County official has the authority to hire and fire if they can also decide which applications get passed on to them. Kobi Wright, Corporation Counsel, stated that the Human Resources division will refer qualified individuals, but County officials can request that all applications be forwarded for a policy-making position.

Councillor Cockrum asked then if Human Resources can approve new positions and set wage schedules for elected officials. Aaron Haith, General Counsel, stated that wage grades are already established, and the Council approves these schedules through the budget process. He said that there is nothing precluding officials from creating new positions, but approval would be needed from Human Resources. Suzannah Overholt, Assistant Corporation Counsel, said that this proposal will help to promote more consistency in the city- and county-wide classification system.

Councillor Pfisterer asked why County officials were not asked to weigh in on this amendment. Mr. Wright stated that he represents both the City and County and they extended an invitation for input from officials and not all responded.

Councillor Nytes said that a consistent set of Human Resources standards needs to be set across the City and County, as this Council represents both.

Councillor Borst asked if County officials can still hire anyone they want. Mr. Wright said that they can. Councillor Borst asked if someone is not performing well, are they able to also let them go without Human Resources' approval. Mr. Wright said that Human Resources has recommendations, but the authority for dismissal still lies with the County official.

Councillor Bradford asked who develops job descriptions. Mr. Wright stated that Human Resources is involved in the development of job descriptions, but again the County official would have final authority. Councillor Bradford asked if the use of time clocks is also decided by the official or by Human Resources. Ms. Overholt stated that if Human Resources decided it was in the best interest of every agency to require time clocks, they could, but the practice has been to let each agency and department decide that for themselves.

Councillor Cockrum asked if township trustees, firefighters, and small claims court employees are covered by this proposal. Ms. Overholt said that this proposal does not apply to them. Councillor Cockrum asked if it applies to township assessors. Ms. Overholt stated that assessors are County employees, so it does apply to them.

Councillor Boyd moved, seconded by Councillor Gibson, for adoption as amended.

Councillor Borst stated that Human Resources is not a part of Senate Bill 307 and it is simply a transition between the Controller and Auditor that is affected by this bill. Adding this Human Resources component to this proposal goes way above and beyond what is legally implied in Senate Bill 307. He said that Legislative Services says that Proposal No. 301, 2005 does not even implement Senate Bill 307 properly, and he opposes the proposal until these legal questions can be answered.

Councillor Sanders said that this is simply Councillor Borst's opinion, and there has been no official ruling that this proposal is illegal. Until there is an official ruling, the proposal is the will and intent of this body. She called for the question on the previous motion.

President Talley said that he had already recognized Councillor Schneider to speak next, and therefore he will allow him to speak before voting on the motion.

Councillor Schneider that there is a great possibility that this issue will end up in court. He moved to postpone Proposal No. 301, 2005 until a ruling is forthcoming from the Attorney General. Councillor McWhirter seconded the motion.

President Talley said that the call for the question had already been made, and this motion is out of order. Councillor Schneider said that he had been recognized before the call for the question, and his motion is in order. President Talley asked for a ruling by the parliamentarian. Mr. Haith stated that Councillor Schneider's motion is out of order. Councillor Schneider stated that a motion to postpone takes precedence, and he was recognized prior to the question being called. Councillor Borst agreed and said that a motion to postpone can be made any time during a debate. He moved, seconded by Councillor Schneider, to appeal the ruling of the chair and parliamentarian. President Talley stated that a "yea" vote will uphold the chair's ruling and a "nay" vote will overturn the ruling. The Chair's ruling was overturned on the following roll call vote; viz:

*12 YEAS: Abdullah, Boyd, Brown, Conley, Franklin, Gibson, Gray, Moriarty Adams, Nytes, Oliver, Sanders, Talley*

*17 NAYS: Borst, Bowes, Bradford, Cain, Cockrum, Day, Keller, Langsford, Mahern, Mansfield, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*

The motion to postpone failed on the following roll call vote; viz:

*14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*

*15 NAYS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley*

Proposal No. 301, 2005 was adopted on the following roll call vote; viz:

*15 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley*

*14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy*

Proposal No. 301, 2005 was retitled GENERAL ORDINANCE NO. 73, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 73, 2005

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code for the purpose of updating the Revised Code to give effect to Senate Enrolled Act 307, 2005.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 131-242 of the "Revised Code of the Consolidated City and County," regarding the auditor's endorsement fee, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 131-242. Auditor's endorsement fee.**

(a) Pursuant to IC ~~36-2-9-18(d)~~ 36-2-9-5-16, the city-county council hereby authorizes the auditor to charge a fee in the amount of five dollars (\$5.00) for each endorsement made by the auditor for each legal description of each parcel in a document that partitions or conveys real property.

(b) This endorsement fee is to be paid at the time the endorsement is made by the auditor, and this endorsement fee is in addition to other fees provided by law to be charged by the auditor.

(c) The auditor shall deposit all fees received under this section in a dedicated fund for use in maintaining plat books.

SECTION 2. Section 135-371 of the "Revised Code of the Consolidated City and County," regarding the year 2000 special purpose fund, hereby is REPEALED.

SECTION 3. Section 135-721 of the "Revised Code of the Consolidated City and County," regarding the risk management reserve fund, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 135-721. Created.**

(a) There is hereby created a special fund, to be designated the "risk management reserve fund," ~~in the division of finance, in the office of the controller~~ finance and management. This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of each year, and no such balances shall lapse into the city or county general funds or ever be diverted, directly or indirectly, in any manner to any other uses than for the purposes of risk management associated with the responsibility of the city and county to provide workmen's compensation.

(b) The annual anticipated needs, uses and expenditures of the funds at any time in the fund shall be established by the controller and the director of the department of administration and equal opportunity, along with a levy of taxes if needed to augment the funds each year; later additions to such special funds may be duly appropriated during each year, as approved by the city-county council, and as provided by law.

SECTION 4. Section 135-731 of the "Revised Code of the Consolidated City and County," regarding the automobile liability reserve fund, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 135-731. Created.**

(a) There is hereby created a special fund, to be designated the "automobile liability reserve fund," in the division of finance, in the office of ~~the controller~~ finance and management. This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of each year, and no such balances shall lapse into the city or county general funds or ever be diverted, directly or indirectly, in any manner to any other uses than for the purposes of city or county liability arising from accidents involving city or county motor vehicles.

(b) The annual anticipated needs, uses and expenditures of the funds at any time in the fund shall be established by the auditor, controller and the director of the department of administration and equal opportunity, along with a levy of taxes if needed to augment the funds each year; later additions to such special funds may be duly appropriated during each year, as approved by the city-county council, and as provided by law.

SECTION 5. Section 141-102 of the "Revised Code of the Consolidated City and County," regarding city and county contracts, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 141-102. Requirements for execution.**

(a) No city contract or county contract shall be entered into unless there has been compliance with applicable state statutes regarding public purchases. A city contract or county contract that has been executed without such compliance shall be voidable on that basis alone.

(b) The office of corporation counsel shall review each city contract and county contract for form and legality, and if appropriate shall approve such contract.

(c) The city controller shall examine and approve all city and county contracts as provided in section 202-203 of the Code.

~~(d) The county auditor shall examine all county contracts that would result in or involve financial obligations for the county, and shall approve such contracts only upon ascertaining that there is an unexpended and unencumbered balance in the account or fund from which money may be drawn for payment.~~

(ed) Each city contract and county contract for any city or county office or agency that does not have a board to approve the award of contracts shall be subject to the approval of the mayor or, in the mayor's sole discretion, the mayor's designee.

(~~fe~~) Each city contract and county contract shall bear appropriate notations and signature lines showing that it was reviewed and approved as required by this section prior to its execution by the parties. A contract that is executed without the approval of the office of corporation counsel, the city controller ~~or county auditor~~, or the mayor as required by this section shall be voidable on that basis alone.

SECTION 6. Section 151-64 of the "Revised Code of the Consolidated City and County," regarding proposals for fiscal ordinances, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 151-64. Fiscal ordinances.**

(a) No proposal for a fiscal ordinance shall be initiated unless approved by the ~~proper fiscal officer of the city or county controller~~ controller or unless ~~that officer~~ the controller has been notified by the clerk of its receipt at least seven (7) days before introduction. Any proposal for a fiscal ordinance appropriating or transferring funds shall not be approved for introduction if any of the financial data or reports required by this Code are delinquent as to a fund which is the subject of such proposal.

(b) No proposal for a fiscal ordinance of the city or county shall be initiated unless the proposal includes (with respect to each fund from which an additional appropriation is proposed) the previous year's closing fund balance and a projection of the current year's ending fund balance if the proposal were to be adopted; however, this subsection shall not apply to a proposal for a fiscal ordinance funded by a grant that requires no matching funds.

(c) Any proposal for a fiscal ordinance (except the annual budgets) which appropriates the proceeds of any state, federal or private grant shall include substantially the following language:

Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the ~~auditor or~~ controller, are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

(d) The digest of any proposal for a fiscal ordinance shall identify the fund appropriated including a statement of the revenue source for the appropriation.

(e) When a request for an additional appropriation from unappropriated funds is submitted to the council by any city-county agency (including a court), the chief financial officer of the city-county council or his/her designee shall review the policies and expenditures of the requesting agency and may submit a report to the appropriate council committee containing a recommendation with regard to the additional appropriation.

SECTION 7. Section 181-104 of the "Revised Code of the Consolidated City and County," regarding the replacement of certain vehicles, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 181-104. Vehicle replacement.**

~~The department of administration~~ Any city department or any county official may purchase or lease a new or used vehicle to replace a vehicle that is logged on the current inventory pursuant to section 181-103. Any other purchase of vehicles must have prior authorization from the city-county council. This section applies to any licensed, street-operated vehicle.



SECTION 8. Sections 181-201 and 181-202 of the “Revised Code of the Consolidated City and County,” regarding financial reporting, hereby are amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 181-201. Financial reporting system established; to be submitted monthly; contents.**

(a) To better monitor and manage the budgetary responsibilities of the council, there is hereby established a financial reporting system for revenue receipts and projections, for expenditures and encumbrances, and for appropriation balances.

(b) The controller ~~and auditor are~~ is to submit monthly a report of revenue and revenue projections and expenditures and encumbrances by budget category to the city-county council.

(c) Such report shall be submitted within ten (10) days of the end of each calendar month to the clerk of the council, and shall include:

- (1) A statement in detail of all revenue received during the month with totals for the calendar year.
- (2) An analysis of revenue to date compared to current year estimates.
- (3) The month end balances of all budget accounts including expenditures and encumbrances for the month and for the year to date.
- (4) A revised estimate of income for the current year and by August first of each year a detailed estimate of revenue for the next calendar year.

**Sec. 181-202. Annual financial reports.**

On or before February first, of each year the ~~auditor and~~ controller shall file with the city-county council financial reports showing:

- (1) For past year the actual revenues and receipts and uses of the county option income tax and cumulative development funds;
- (2) The certified anticipated receipts from the local option income tax and cumulative development funds for the current year and budgeted expenditures; and
- (3) A proposed allocation of the anticipated revenues for the next budget year from the county option income tax and cumulative development funds including recommendations for increases or reductions in the rate of county option income tax, homestead credit and cumulative development funds.

SECTION 9. Section 181-403 of the “Revised Code of the Consolidated City and County,” regarding responsibility for information about appropriations requests, hereby is amended by the deletion of language that is stricken through, to read as follows:

**Sec. 181-403. Responsibility for information.**

The city controller, ~~county auditor~~ and fiscal officer of the municipal corporations shall require and transmit the necessary documentation as requested by the city-county council when submitting an appropriations request.

SECTION 10. Section 181-501 of the “Revised Code of the Consolidated City and County,” regarding definitions applying to certain code sections, hereby is amended by the deletion of language that is stricken through, to read as follows:

**Sec. 181-501. Definitions.**

As used in this division, the following words and phrases are defined as follows:

(a) Annual budget ordinances means the ordinance or ordinances adopted by the city-county council in September of one (1) year, establishing the appropriations, tax levies and tax rate for the calendar and fiscal year beginning the following January first, and extending until the next December thirty-first.

(b) Budget year means the calendar or fiscal year beginning the following January first, and extending through December thirty-first of that year.

(c) Current budget means the budget for the calendar year beginning the first day of January of the current calendar year and extending through December thirty-first of the current calendar year.

(d) Current year appropriations means the total appropriations by fund as approved by the state board of tax commissions with respect to the current budget.

(e) Fiscal officer means and refers ~~to the county auditor with respect to the government of Marion County and to the city controller with respect to the government of the Consolidated City of Indianapolis and Marion County, pursuant to IC 36-1-2-7 and IC 36-3-5-2.5.~~

(f) Maximum tax levy means the maximum permissive ad valorem property tax levy for the budget year computed in accordance with IC 6-3.5-1-3.

(g) Principal administrative official shall mean the person required by IC 36-3-6-4 to estimate the necessary expenses for the proposed budget, i.e., the directors of the departments of the City of Indianapolis, every county officer and the supervisor of every other county agency.

(h) Proposed budget means the financial data required to be submitted by the operating agencies to the ~~respective~~ fiscal officers prior to the first Tuesday after the first Monday of July of each year estimating the necessary expenditures for such agencies for the fiscal or calendar year beginning January first of the next calendar year.

SECTION 11. Sections 181-503 through 181-508, inclusive, of the “Revised Code of the Consolidated City and County,” regarding the annual budget submission, hereby are amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 181-503. Balanced budgets required.**

The annual budget ordinances for the city and county as prepared by the fiscal officers with the assistance of the general counsel of the city-county council shall balance with the maximum tax levy for the budget year.

**Sec. 181-504. Proposed budget required.**

To assist the fiscal officers in preparing such proposed ordinance or ordinances, the principal administrative official shall submit to the ~~respective~~ fiscal officers a proposed budget with an optional proposal of appropriation as specified in section 181-235.

**Sec. 181-505. Proposed budget determined.**

The proposed budget required shall be determined as follows:

- (1) The proposed budget shall not exceed the applicable percentage of the current year appropriations as established by the ~~respective~~ fiscal officers based on such fiscal officer's best estimate of revenues for the budget year.
- (2) This optional data shall include such increased levels of spending as the principal administrative official may deem necessary for that respective governmental agency, provided such official suggests the source of financing any expenditures in excess of the proposed budget by either (i) demonstrating that such expenditures are within the statutory provisions of IC 6-3.5-1-12 for a tax levy in excess of the limits of IC 6-3.5-1-3, or (ii) identifying a source of new or increased revenue not included in either the current budget or the revenues projected in the fiscal officer's estimates for the proposed budget percentage, or (iii) identifying specific appropriations in the current budget which should be reduced of a lower priority than the proposed increases.

**Sec. 181-506. Balanced budget to be submitted.**

The proposed budget submitted by the fiscal officers for introduction to the city-county council shall be within the total of revenues by fund specified for the proposed budget.

**Sec. 181-507. Authority of fiscal officers.**

If the budget presented by any principal administrative official is in excess of the amount specified by the fiscal officer, as required by this division, the respective officer shall so modify the budget of that agency so that the expenditures proposed for such agency in the proposed budget ordinance shall not exceed the proposed budget.

**Sec. 181-508. Advertised budget.**

The budget advertised for public hearing pursuant to IC 6-1.1-17-3 by the ~~respective~~ fiscal officers shall not exceed by fund the total revenues available for the budget year as estimated by such fiscal officer, including any new revenues or expenditures statutorily specified as grounds for increases in the maximum tax levy.

SECTION 12. Section 191-21 of the "Revised Code of the Consolidated City and County," regarding external audits, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 191-21. ~~Consolidated city~~ Selection of External Auditors.**

The mayor, upon recommendation of the audit committee, shall select the independent external audit firm to prepare the audited annual financial report of the consolidated city and the county.

SECTION 13. Sections 202-201 through 202-204, inclusive, of the "Revised Code of the Consolidated City and County," regarding the Office of the City Controller, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**ARTICLE III. OFFICE OF ~~CITY CONTROLLER~~ FINANCE AND MANAGEMENT**

**Sec. 202-201. Office of Finance and Management; City Controller.**

(a) There is hereby established an office of finance and management. The office of finance and management shall be responsible for:

- (1) Budgeting;
- (2) Financial reporting and audits;
- (3) Purchasing; and
- (4) Fixed assets;

for all city and county departments, offices, and agencies.

(b) The controller is the fiscal officer for the city and county. The controller serves as the director of, and may organize into divisions, the office of finance and management.

(c) The city controller shall be appointed by and serve at the pleasure of the mayor as required by IC 36-3-5-2(d). The mayor shall appoint two deputy controllers, only one of whom may be from the same political party as the mayor. The city controller shall have an appropriate seal. The city controller may appoint additional deputies for whose acts the city controller shall be responsible.

**Sec. 202-202. Duties of city controller.**

The city controller shall:

- (1) Supervise and coordinate the activities of the office of finance and management;
- (2) Oversee the daily operations of the office of finance and management;
- (3) Prepare and submit the office's of finance and management's budget;
- (4) Approve the hiring and dismissal of the personnel of the office of finance and management subject to the limitations prescribed by law and rules adopted by the mayor;
- (5) Manage the personnel of the office of finance and management;

- (6) Delegate to the personnel of the office of finance and management authority to act on ~~his~~ the controller's behalf;
- (7) Execute contracts subject to the authority of the city-county administrative board, the mayor and any other limitations prescribed by law; and
- (8) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

**Sec. 202-203. Powers of the office of ~~city controller~~ finance and management.**

- (a) The office of ~~city controller~~ finance and management shall:
  - (1) Administer and be responsible for ~~the accounting~~ financial reporting and audits, including the establishment of accounting policies and procedures, fixed assets, budgets and purchasing for all of the city and county departments, offices and agencies, payroll, investment of cash balances for the city, purchasing, and Barrett law assessment and collection functions of the city;
  - (2) Prepare estimates of city and county expenditures pursuant to IC 36-3-6-4(g) and IC 36-3-6-5;
  - (3) Prepare, with the assistance of the corporation counsel, proposed appropriations ordinances for the city and county and special service districts and proposed ordinances fixing the rate of taxation for the taxes to be levied for city and county departments, offices and agencies;
  - (4) Examine, from time to time, the officers, departments and division heads and members of the boards of the city and county as to their organization, accounting records, personnel and other requirements, to ascertain that their respective budgets are being followed and their functions performed and recommend any improvements or economies which might be made in the administrative practices of all the departments, offices and divisions of the city and county;
  - (5) ~~Organize and maintain~~ Ensure that accounting systems for all of the departments of the city and county ~~to be~~ are kept in accordance with generally accepted accounting principles for governments;
  - (6) Provide suitable instruction for the use of forms and the methods of keeping all accounting records and preparation of all financial reports of the city and county;
  - (7) Examine all contracts, purchase orders and other documents which would result in or involve financial obligations of the city or county and approve the same only upon ascertaining that there is an unexpended, and unencumbered ~~and unimpaired~~ balance in the account or fund from which money may be drawn for payment;
  - (8) Submit a monthly financial report to the mayor, for his presentation to the city-county council, showing the financial condition of the various accounts and funds of the city and county, including estimated revenues, revenues received, appropriations and allotments for such appropriations, and to furnish to all of the departments, offices and agencies monthly financial reports of their fiscal conditions;
  - (9) Designate banks and other financial depositories in which the funds of the city shall be deposited in accordance with applicable law and designate the municipal, state and federal securities which shall constitute proper legal investments for the city;
  - (10) Prescribe the time and manner in which moneys received by the city shall be deposited in the designated banks or depositories;
  - (11) Make investments of all city moneys, including pension funds, sinking funds and all other funds of the city except as otherwise provided and subject to the ordinances of the city-county council and be responsible for the preparation and sale of all bonds and securities issued by the city;
  - (12) Issue all city licenses to qualified applicants upon receipt of the fee established and fixed therefor by ordinance;
  - (13) Direct the administrative procedure for, and the accounting, collection and payment of, all

Barrett law assessments within the limits of the city and county, attend to the enforcement of such assessments and provide for the issuance and payment of Barrett law bonds;

- (14) Sign and issue all orders for money from the various funds ~~of the city established under Articles I through VII, inclusive, of Revised Code Chapter 135 to the auditor.~~ No warrants shall be made by the auditor, and no money shall be paid out by the treasurer except on such order;
  - (15) Require a claim form or order to be presented to the controller from the director, ~~or~~ administrator or officer of a department, ~~or~~ division or office of the city or county, as a requisite to issuing any order for the payment of money from funds of the city or county, and incidental thereto, the controller shall have power to require evidence that amounts claimed are justly due;
  - (16) Keep a register of all bonds of the city and county and of the transfers thereof, where so provided in any such bond, and an account of all outstanding securities;
  - (17) Audit or provide for the audit of the accounts of the departments, divisions and offices of the city and county;
  - (18) Purchase or authorize the purchase of and maintain records of insurance for city and county officers and employees and purchase or authorize the purchase of and maintain records of surety bonds for city officers and for county officers or township assessors if requested to do so by such officers;
  - (19) Allocate parking spaces in the city-county building parking garage and other parking facilities owned or leased by the city or county;
  - (20) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor or allocated pursuant to IC 36-3-5-2.8.
- (b) The office of ~~the city controller~~ finance and management may contract for assistance in the collection of money owed to the city, its departments, special districts or other agencies and to add the costs of collection, if the amount owed exceeds twenty-five dollars (\$25.00) and became delinquent after July 1986, to the amount owed and collected.
- (c) The office of finance and management shall, in conjunction with the auditor, establish rules and methods of accounting to ensure timely and accurate transaction of fiscal business matters. The rules and methods shall address such topics as the controller, in conjunction with the auditor, deems necessary, but shall at a minimum include:
- (1) Sufficient detail to allow the exchange of information among city and county offices with the auditor's office and the office of finance and management, and between the auditor's office and the office of finance and management;
  - (2) Timeframes for the processing of accounts, payroll, distributions, budgets, financial reports, audits, and purchases;
  - (3) Procedures for preparing financial reports; and
  - (4) Procedures for administering time keeping and payroll functions.

Upon initial establishment and subsequent revisions, these rules and methods of accounting shall be filed with the clerk of the city-county council. The rules and methods of accounting shall be binding upon all offices, agencies, and departments that submit budget estimates to the office of finance and management under IC 36-3-6-4(f).

**Section 202-204. Purchasing division; promotion of supplies manufactured in the United States.**

- (a) The office of ~~the city controller~~ finance and management shall include a purchasing division, which shall be the purchasing agency, as that term is defined and used in IC 5-22, for the city and county, and for each of their respective departments, divisions, offices and agencies.

- (b) The powers and duties of the purchasing division shall include:
- (1) Acting as the agent in obtaining materials, supplies, equipment or contractual services, other than personal services, for city and county departments, divisions, offices and agencies. Any such department, division, office or agency shall requisition such materials, supplies, equipment or services from the purchasing agent who shall, upon determining that appropriations are available for such purposes, acquire the items requisitioned in accordance with public purchase law. All contracts of purchase shall be made in the name of the city department or division or county office and be subject to the approval of the department, division, office or agency;
  - (2) Establishing such purchasing and contractual procedures as may best be suited to obtain the greatest economic value to the city and the county;
  - (3) Where bidding and publication of notice are required by law, preparing specifications and notice to bidders and seeing that the required notices are published;
  - (4) Ensuring that adequate funds are available prior to making necessary purchases and acquisitions are within the limits of the budget appropriations of the department, division, office or body in need of the material;
  - (5) Acting as the agent of any executive department to sell or exchange any personal property ordered to be sold by a city department or division or county office in accordance with procedures prescribed by law; and
  - (6) Serving as the repository for all executed contracts of the city, the county, each of the city's and county's respective departments, divisions, offices and agencies, the city-county council except as provided by section 151-93(4) of the Code, the circuit court, Marion Superior Court, and the prosecuting attorney, and maintaining a database on these contracts listing all contracting parties and encumbrances; and
  - (7) Exercising any other powers which may be granted by statute or ordinance or delegated by the mayor.
- (c) To promote the purchase of supplies manufactured in the United States as set forth in IC 5-22-15-21, the city and county, and each of their respective departments, divisions, offices and agencies, shall specify and purchase supplies manufactured in the United States unless the purchasing agent first determines that any of the following circumstances apply:
- (1) The supplies are not manufactured in the United States in reasonably available quantities;
  - (2) The price of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured outside the United States;
  - (3) The quality of the supplies is substantially less than the quality of comparably priced available supplies manufactured outside the United States; or
  - (4) The purchase of supplies manufactured in the United States is not in the public interest.

SECTION 14. Chapter 221, Article I, of the "Revised Code of the Consolidated City and County," regarding the establishment of the department of administration and equal opportunity, hereby is amended by the addition of language that is underscored, to read as follows:

Chapter 221 DEPARTMENT OF ADMINISTRATION AND EQUAL OPPORTUNITY

**ARTICLE I. DEPARTMENT ESTABLISHED**

**Sec. 221-1. Department established.**

There is hereby established a department of administration and equal opportunity for the city pursuant to IC 36-3-5-4 subject to IC 36-3-4-23.

**Sec. 221-2. Duties, powers.**

It shall be the responsibility of the department of administration and equal opportunity to carry out the general administrative functions of the city as stated in this chapter. In addition, the department shall have any other powers and duties granted by statute or ordinance or delegated by the mayor.

SECTION 15. Section 221-11 of the "Revised Code of the Consolidated City and County," regarding the director of the department of administration and equal opportunity, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 221-11. Director.**

The director of the department of administration and equal opportunity shall be appointed by the mayor subject to the approval of the city-county council as required by IC 36-3-5-2 to serve at the pleasure of the mayor for a term ending December thirty-first of the year the appointment is effective and until a successor is appointed and qualifies. The mayor may appoint a deputy mayor to serve as the director of the department or as the administrator of the division of administrative services, or both, by virtue of the deputy mayor's office.

SECTION 16. Section 221-13 of the "Revised Code of the Consolidated City and County," regarding the divisions of the department of administration and equal opportunity, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 221-13. Divisions established.**

The department of administration and equal opportunity shall be composed of the following divisions:

- (1) Administrative services division;
- (2) Human resources division; and
- (3) Equal opportunity division.

SECTION 17. Section 221-201 of the "Revised Code of the Consolidated City and County," regarding the human resources division, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 221-201. Human resources division.**

- (a) The human resources division shall:
  - (1) Promulgate and codify personnel policies and procedures provided such actions are not in conflict with any federal, state or local laws;
  - (2) Recommend the hiring, promotion, transfer, layoff and dismissal of any city or county employee, including salary reviews, with final decision making authority resting in the affected city department or county agency;
  - (3) Fulfill the duties of wage and salary administrator;
  - (4) Recruit, advertise and post a list of all available city and county positions unless otherwise exempt from posting as determined by the administrator of human services;
  - (5) Approve the creation of all new positions ~~in the city by city department directors and county officials~~, including the reclassification of any existing position;
  - (6) Promulgate and enforce a uniform system of job descriptions, job classification and salary range schedules for the city and county in conjunction with affected city department directors and county officials;
  - (7) Screen ~~and interview~~ all applicants for employment whose applications are received by the human resources division and determine whether the applicant meets the minimal qualifications for a city or county position as provided in the job description;

- (8) Exclusively refer qualified applicants for interview by the specific city department or county office, except as to those positions designated as either confidential or policy making, as defined by legal standards, by the relevant appointing authority (city, county elected official or council) in conjunction with the human resources division;
- (9) Conduct, as required, criminal background checks on applicants for employment.
- (~~9~~10) Issue written offers of employment and letters of rejection to applicants for employment with the city and county in conformity with the guidance provided by the relevant city department or county office;
- (~~40~~11) Prepare and maintain the master personnel file for each city and county employee;
- (~~41~~12) Develop and administer tests to be used for interviewing and placement purposes;
- (~~42~~13) Prepare the wage control for all city and county employees;
- (~~43~~14) Develop and administer all personnel and management training programs for the city departments and county offices;
- (~~44~~15) Represent the city and county in all unemployment compensation and ~~workmen's~~ workers' compensation proceedings and coordinate the handling of claims processing in these areas;
- (~~45~~16) Participate and assist in labor negotiations with any city or county bargaining representative;
- (~~46~~17) Develop, administer and coordinate a comprehensive safety program for the city and county including completion of any reports necessary for governmental compliance;
- (~~47~~18) Identify any safety violation in accordance with federal, state or local laws which exists in any city department or county office and determine and enforce applicable safety standards;
- (~~48~~19) Administer fringe benefits for city and county officers and employees;
- (~~49~~20) Perform any and all other duties related to personnel management and administration;
- and
- (~~20~~21) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

(b) With the exception of the duties of the human resources division described in subparts (a) (3), (5), (6), (13), (16) and (19), the Council, Marion County Sheriff's Department, Marion Superior Courts, Marion Circuit Court and Marion County Prosecutor may perform the foregoing human resources functions with their own staff. The human resources division shall offer assistance to those offices as requested.

SECTION 18. Section 221-401 of the "Revised Code of the Consolidated City and County," regarding the division of equal opportunity, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 221-401. Equal opportunity division.**

The equal opportunity division is comprised of the Human Services Section and the Minority and Women Business Enterprises Section, and shall:

- (1) Be empowered to carry out the duties and responsibilities enumerated in chapter 16 of the Code of Indianapolis and Marion County, Indiana; and
- (2) Exercise any other powers which may be granted by statute or ordinance or delegated by the mayor.

SECTION 19. Section 251-501 of the "Revised Code of the Consolidated City and County," regarding the inspector of the weights and measures, hereby is amended by the addition of language that is underscored, to read as follows:



**Sec. 251-501. Inspector.**

The administrator of the weights and measures division shall be known as the inspector. No person shall be appointed inspector unless such person shall be approved by the state division of weights and measures. The director of the department of public safety may, with the approval of the state division of weights and measures, remove the inspector for any cause other than politics after a hearing before the director of the department of administration and equal opportunity.

SECTION 20. Section 252-108 of the "Revised Code of the Consolidated City and County," regarding life and liability insurance for members of the department of public safety, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 252-108. Life and liability insurance.**

The director of public safety shall recommend to the director of the department of administration and equal opportunity appropriate group life and disability insurance coverage to cover all members of the force. Such insurance coverage may be purchased and maintained in reasonable amounts and shall cover only firefighters killed or disabled in the line of duty. The director of public safety shall recommend to the director of the department of administration and equal opportunity appropriate insurance to indemnify firefighters against liability for injuries or damages to persons or property resulting from alleged acts of negligence, wrongful acts or omission of the firefighter while acting within the scope of their authority and employment.

SECTION 21. Section 253-105 of the "Revised Code of the Consolidated City and County," regarding life and liability insurance for employees and members of the Indianapolis Police Department, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 253-105. Life and liability insurance.**

The director of public safety shall recommend to the director of the department of administration and equal opportunity appropriate group life and disability insurance coverage to cover all employees and members of the Indianapolis police department. Such insurance coverage may be purchased and maintained in reasonable amounts and shall cover employees and members killed and/or disabled in the line of duty. The director of public safety shall recommend to the director of the department of administration and equal opportunity appropriate insurance to indemnify the employees and members of the Indianapolis police department against liability for injuries or damages to persons or property resulting from alleged acts of negligence, wrongful acts, or omissions of the employees and members of the force while acting within the scope of their authority and employment.

SECTION 22. Section 281-101 of the "Revised Code of the Consolidated City and County," regarding the members of the city-county administrative board, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 281-101. Members.**

The city-county administrative board (board) shall consist of the director of the department of administration and equal opportunity who shall serve as its presiding officer, the county auditor, the controller and two (2) members appointed by the city-county council. Each appointed member shall serve a term ending December thirty-first of the year the appointment is effective and until a successor is appointed and qualifies, at the pleasure of the appointing authority. If a vacancy occurs on the board, the appointing authority shall appoint a replacement for the remainder of the unexpired term.

SECTION 23. Section 281-611 of the "Revised Code of the Consolidated City and County," regarding the compensation of the sheriff, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 281-611. Compensation of sheriff.**

(a) To the extent authorized by the city-county council in fixing the compensation of elected officials, the ~~county auditor~~ controller may enter into a contract with the county sheriff providing that, to the extent the county sheriff agrees to deposit fee compensation in the county general fund, additional salary will be paid to the county sheriff.

(b) Such salary contract shall provide (i) for a fixed annual salary to be paid from the county general fund as other county officials are paid, and (ii) for a fixed amount of fee compensation, which the

sheriff might otherwise retain under IC 6-8.1-8-3(f)(1), that the sheriff shall deposit into the county general fund, which shall be in addition to the amount otherwise deposited under IC 6-8.1-8-3(f)(3).

c) A contract made under the authority of this article shall be for a term ending as of the end of a calendar year ending before or concurrently with the sheriff's term of office and shall in any event terminate upon the death or resignation of the sheriff making the agreement.

SECTION 24. Sections 282-115 and 282-116 of the "Revised Code of the Consolidated City and County," regarding the salary recommendation panel, hereby are amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 282-115. Duties of salary recommendation panel.**

(a) The panel is directed to recommend the level of salary of each employing official in county government whose compensation is derived primarily from a salary paid from the county treasury, and the state treasury when the law provides for salary payments by the state to a local official. Recommendations must be consistent with any statutory limitations on the compensation which may be paid by county government. Salaries of officers whose compensation may be determined by contract authorized by section 281-611 of the Code shall be excluded from panel review.

(b) In recommending each salary, the panel shall consider any other compensation of material value that is customarily provided to the employing official, including fringe benefits. The panel shall also consider the length of the work day and work week and the number of days worked per year that is customary for the employing official. In the context of these considerations, the panel shall employ the following four (4) criteria in recommending salaries and give them equal weight:

- (1) Parity with city department and division heads;
- (2) Comparability with private sector;
- (3) Salary range in the county's normal classification system;
- (4) Comparability with similar government organizations.

In instances where the employing official is appointed and serves at the pleasure of a board or other official, the panel shall recommend a range of salaries, with the object of allowing the appointing authority to set the actual salary.

(c) The panel shall recommend salaries with the object of the recommendations being implemented on the first day of the coming calendar year, except in the case of employing officials who regularly serve terms greater than one (1) year. In these instances, the recommendations of the panel shall be made in the year prior to the year an individual is regularly selected to serve. In other years, the panel shall recommend only the amount of a cost of living adjustment.

(d) The panel may take action up to June 20 of the year of their appointment, at which time its recommendations shall be recorded by the clerk and certified by him to the ~~auditor~~ controller. In the event the panel has taken no action to recommend a salary for an employing official, the absence of a recommendation shall be treated as a recommendation that the salary or range of salaries for that employing official be left unchanged.

**Sec. 282-116. Duties of ~~auditor~~ controller.**

The ~~auditor~~ controller, in presenting the next proposed budget ordinance to the council as required by law, shall incorporate the recommendations of the panel into the text. The council shall then consider the panel's recommendations as an integral part of the proposed budget ordinance.

SECTION 25. Chapter 283, Article I of the "Revised Code of the Consolidated City and County," regarding the Marion County Job Classification and Compensation Board, hereby is REPEALED.

SECTION 26. Section 283-331 of the "Revised Code of the Consolidated City and County," regarding the director of the forensic services agency, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 283-331. Director; qualification; responsibilities.**

(a) The mayor shall appoint a director, recommended by the board, subject to approval by the council, who shall serve at the pleasure of the mayor. The director shall have such qualifications and experience as set by the board. The director shall meet with the board as a nonvoting member.

(b) The director shall be the chief administrator of the forensic services agency (FSA) and shall have the following duties:

- (1) To supervise and coordinate the activities of sections with the agency;
- (2) To oversee the daily operations of the agency;
- (3) To prepare and submit the agency's budget to the ~~county auditor~~ controller as required by IC 36-3-6-4;
- (4) To appoint deputies or assistants as necessary;
- (5) To approve the hiring and dismissal of personnel of the agency subject to the limitations prescribed by law in Chapter 221 of this Code;
- (6) To manage the personnel of the agency;
- (7) To delegate to the personnel of the agency authority to act on his behalf;
- (8) To execute contracts subject to the authority of the board, the mayor and any other limitations prescribed by law.

(c) The director shall have the authority and responsibility to act for the board in its name on a daily operational basis when the board is not in session, but all such action shall be subject to the review of the board.

SECTION 27. Section 291-102 of the "Revised Code of the Consolidated City and County," regarding the administration of personnel, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 291-102. Administration generally.**

The director of administration and equal opportunity is authorized and directed to take those steps necessary to implement compliance with the policies and procedures stated in this chapter by all departments and agencies of the consolidated city and county. The director is further authorized and directed to utilize probationers of the municipal court of Marion County whose conditions of probation include performing community work service. The director is further authorized and directed to utilize volunteers, seasonal, part-time and/or temporary employees to perform any and all work for the consolidated city and county. The director, in conjunction with the other department directors, shall determine how such persons shall be utilized.

SECTION 28. Sections 291-105 of the "Revised Code of the Consolidated City and County," regarding assignment of wages, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 291-105. Assignment of wages.**

The assignment of future wages to become due to any employee of this city or county, or from any department or office thereof, may be done only in instances and for those purposes as may be authorized by the mayor or director of the department of administration and equal opportunity. All employees of the city and county or any department or office thereof agree that, upon accepting employment with the city or county or with a department or office thereof, and as a condition precedent, they will not assign, transfer or sell any future wages to become due to any employee or employees from the city or county or any department or office thereof, except assignments made for the specific purposes approved by the city or county or such other assignment as may be approved by the director of the department of administration.

SECTION 29. Sections 291-107 through 291-109, inclusive, of the "Revised Code of the Consolidated City and County," regarding certain pay programs, hereby are amended by the addition of language that is underscored, to read as follows:

**Sec. 291-107. Procedure for removal of officers and employees for malfeasance.**

(a) *Charges.* Any ten (10) or more voters of the city may prefer charges against any officer or employee of the city or county, except a member of the city-county council, relating to malfeasance in office, which charges shall be submitted in writing and filed with the clerk. If filed by a member of the city-county council, it shall be signed by the member filing it in his official capacity; if filed by any other person, it shall be verified by oath or affirmation of some other person in behalf of the complainant. The charges shall be referred by the president of the city-county council to such special or standing committee thereof as the president shall deem best.

(b) *Investigation; recommendations.* The committee of the city-county council to which charges were referred pursuant to subsection (a) shall examine into the charges and, if a majority of the committee's members report to the city-county council that there are good grounds for the accusations contained in the charges, the charges shall be submitted to the city-county council for trial. If the committee so reports as having found the charges to be without foundation, no further action shall be had thereon, unless the city-county council shall refuse to accept the report, in which event the charges shall be referred for investigation to another committee which shall be designated by the city-county council and, if the second committee reports that the charges should not be further pursued, the charges shall be dismissed. If a majority of the members of the second committee, after investigation, reports in favor of a trial, the same proceedings shall be followed as if the report had been by the committee first investigating the charges.

(c) *Summons.* Upon the filing of formal charges as provided in subsection (b) and the approval of a hearing thereon by the report of the committee of the city-county council, a summons shall be issued by the clerk to the person accused, requiring him to appear before the city-county council in answer to the accusations on a date named therein, which date shall be not less than ten (10) days from the date of the summons. The summons shall be served upon the person accused personally or by the delivery of a true copy thereof at his last known residence by any police officer or other person so delegated by the clerk to do so.

(d) *Cost bond.* A surety bond for the payment of any costs recovered by the defendant under this section may be required of the accusers, by order of the city-county council.

(e) *Hearing.* The charges preferred pursuant to this section shall be heard by the city-county council and evidence shall be taken relating to the charges on behalf of both the persons making the complaint and the accused, and the latter shall have the right to appear by counsel or personally and to summon and interrogate witnesses in such a manner as he would be permitted to do in a court of law. At the conclusion of the evidence, arguments of counsel may be heard at the option of the city-county council and action may be thereupon taken by the city-county council by vote on each specification of such charges. If two-thirds (2/3) of the whole elected number of the city-county council vote to find the accused guilty of malfeasance in any one (1) or more of the specifications of such charges, the defendant shall be removed from office by such vote, the sentence of removal to take effect within three (3) days after the findings of the city-county council. If the charges are not sustained, the defendant shall be acquitted and the costs of witnesses and for other expenses incurred by him shall be assessed against and paid to him by the accuser.

(f) *Departmental investigations.* Nothing in this section shall prevent a standing committee of the city-county council, on its own initiative, from investigating the policies and expenditures of a department within the purview of that standing committee, at any time, without the necessity of filing charges.

**Sec. 291-108. Incentive pay programs.**

Each department director and each county official responsible for hiring and fixing the salaries in each county office or agency may develop a program which would provide compensation adjustments consistent with incentives for productivity and such other measures of success as may be determined by the department director or appropriate county official. Each incentive pay program developed must be reviewed and approved for consistency, objectivity and availability of funding as follows: by the human resources division of the department of administration and equal opportunity, the office of finance and management, and the office of corporation counsel.

- ~~(1) Department directors' programs shall be reviewed and approved by the director of the department of administration, who shall consult with the corporation counsel.~~

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- (2) ~~County officials' programs shall be subject to a legal review by the corporation counsel. In addition, their programs shall be reviewed by the county auditor to assure that adequate funding is available.~~

~~Such compensation adjustment may exceed the maximum salary authorized for any job classification; however, such excess shall be limited to three thousand dollars (\$3,000.00) per year per employee.~~

**Sec. 291-109. Call-back pay.**

Each department director and each county official responsible for hiring and fixing the salaries in each county office or agency may develop a call-back pay plan which designates certain positions within the department, office or agency as eligible for call-back pay. Persons in those designated positions shall receive a minimum of four (4) hours of pay when called into work outside their scheduled work hours.

Any such call-back pay plan must comply with the Fair Labor Standards Act and with any applicable collective bargaining agreements. Each call-back plan must be reviewed and approved for consistency, objectivity and availability of funding ~~as follows: by the human resources division of the department of administration and equal opportunity, the office of finance and management, and the office of corporation counsel.~~

- (1) ~~Programs developed by a department director shall be reviewed and approved by the director of the department of administration and equal opportunity who shall consult with the corporation counsel.~~
- (2) ~~Programs developed by county officials shall be subject to legal review by the corporation counsel. In addition, their programs shall be subject to review for adequacy of funding by the county auditor.~~

SECTION 30. Section 291-201 of the "Revised Code of the Consolidated City and County," regarding leaves of absence of employees, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 291-201. Policy as to leaves of absence of employees.**

(a) Although the policy of leaves of absence, with pay, for regular time off by employees is hereby approved, the granting of any leave of absence is the responsibility of the officers concerned and should be authorized only when due and justifiable. The provisions of this article are declared to be permissive within the proper maximum limits prescribed in this article for the granting of leaves of absence and not to indicate or limit the discretionary policy and powers of any officer in regard to any such leaves; the respective officers shall determine leave policies and establish procedures and requirements for use of leave time for their offices, guided by the maximum indicated in this article.

(b) The provisions of this article are designed to establish a basis for uniformity and equality in the granting of leaves of absence to all employees and to strengthen the authority of officers in respect thereto.

(c) The officials shall have the authority to authorize any officer or office to extend the maximum leaves of absence prescribed in this article, for certain specific individuals or classes of employees, when the nature of the work and normal employment practices make such action advisable for health reasons or other grounds deemed reasonable by him to justify any exemptions.

(d) The respective offices, departments, divisions, bureaus and commissions of the city and county, all included for brevity in the word "officer" or "officers," are authorized to certify payrolls when leave is granted to employees as provided in this article. All city and county departments, agencies and offices shall report benefit and short term disability leave time used and accrued by employees to the office of the Marion County auditor finance and management. ~~All city departments and agencies shall report leave time used and accrued by employees to the office of the controller.~~

(e) Leave allowances for employees of the Marion County Health Care Center shall be established by the board of managers (county home board) pursuant to IC 12-30-3-9.

SECTION 31. Sections 291-206 of the "Revised Code of the Consolidated City and County," regarding holidays, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 291-206. Holidays.**

(a) *Designated.* The following are designated as city holidays for full-time and part-time employees:

New Year's Day (January 1st);

Martin Luther King Day (third Monday of January);

Presidents Day (third Monday of February);

Good Friday (Friday preceding Easter);

Memorial Day (last Monday of May);

Independence Day (July 4th);

Labor Day (first Monday of September);

Thanksgiving Day (fourth Thursday of November);

Friday after Thanksgiving;

Christmas Day (December 25th);

Primary Election Day; and

General Election Day in years with state and municipal elections.

(b) *Days celebrated as holidays in continuing operations.* In continuing seven-day-a-week operations, employees will observe the actual holiday. For employees who are employed in functions which must necessarily be continued at all times, a policy of compensatory leave or overtime for work on holidays shall be determined by the competent authority of each office in cooperation with the direction of the department of administration and equal opportunity.

(c) *Days celebrated as holidays in Monday-through-Friday operations.*

- (1) In Monday-through-Friday operations, when any of these holidays occur on Sunday, the Monday succeeding shall be designated as the legal holiday. When any holiday occurs on Saturday, the Friday preceding shall be designated as the legal holiday.
- (2) Holiday pay for unworked holiday. Employees shall receive holiday pay at the employee's regular straight time rate for each of the designated holidays, if the employee is normally scheduled to work on the day that has been designated as a holiday.
- (3)
  - a. If a holiday is observed on a day of the week when an employee is not normally scheduled to work due to his/her participation in a voluntary flex time plan, the employee shall receive a maximum eight-hour (seven and one-half-hour where applicable) compensatory day off, which shall be scheduled with the approval of his/her supervisor. An employee who separates employment shall not receive pay for any unused compensatory days.
  - b. If a holiday is observed on a day of the week when an employee is not normally scheduled to work due to a work schedule implemented by the city, the employee shall observe his/her next regularly scheduled day as a holiday and shall receive holiday pay for the number of hours he/she would have been regularly scheduled to work on that day.
- (4) Pay for working on a holiday. Eligible employees shall be paid time and one-half in addition to holiday pay for any and all time authorized for work on the day designated as the holiday or compensatory time and one-half off as the case may be.
- (5) Eligibility for holiday pay. To be eligible, the employee must work the full scheduled workday before and the full scheduled workday following the holiday, unless the employee is on a paid leave of absence or is receiving worker's compensation. In Monday-through-Friday operations, there shall be no duplication or pyramiding of holiday pay for holidays falling on Saturday or Sunday but which are observed on other days.

- (6) Failure to report for scheduled work. Any employee scheduled for work on a day designated as a holiday, who fails to report for work or absents himself or herself for that day, shall not be eligible for holiday pay or compensatory time off as the case may be. Regardless of whether the absence is approved or not, any employee scheduled to work on a holiday, who fails to work that holiday, must use paid leave time to be paid for that day.
- (7) Temporary employees. Temporary/seasonal and part-time/ temporary employees do not receive holiday pay.

SECTION 32. Section 291-210 of the "Revised Code of the Consolidated City and County," regarding military leave of employees, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 291-210. Military leave.**

(a) *In General.* Military leave shall be granted in accordance with appropriate state and federal law. In accordance with state law, a maximum of fifteen (15) eight-hour working days of paid military leave shall be granted. If an employee exceeds fifteen (15) days of military leave, then he/she may elect to go on leave without pay or to exhaust appropriate paid leave.

(b) *Special benefits for certain extended active duty.* As a demonstration of the gratitude of the people of Indianapolis and Marion County for city and county public employees whose lives are disrupted and who might suffer financial and personal hardships by answering the call to bear arms for military duty to defend America's freedom and way of life during state or national emergencies, the following supplemental military leave fringe benefits shall be provided to eligible employees whose active duty extends beyond the fifteen (15) days leave provided under subsection (a):

- (1) For purposes of this subsection (b), "eligible employee" means any employee of the City of Indianapolis or of Marion County, including merit officers of the Marion County Sheriff's Department, the Indianapolis Police Department and the Indianapolis Fire Department, that serve in the National Guard or any reserve component of the armed forces of the United States and who by order of the Governor of Indiana or the President of the United States are placed on full-time active duty for more than thirty (30) days.
- (2) If an eligible employee's active duty base on a weekly basis is less than the normal work-week salary or wages earned by the eligible employee at the time of activation, such eligible employee shall receive a weekly payment as a fringe benefit equal to that difference, paid on the same schedule as if the employee were not on military leave.
- (3) If an eligible employee was a participant in a health benefit program provided by the City or County that covered dependants of the eligible employee, the city or county shall pay the employee/employer contribution for such dependant coverage during such military leave.
- (4) The employer contribution to PERF for an eligible employee shall be continued during the period of military leave.
- (5) For each eligible employee who is a merit officer of the Marion County Sheriff's Department, the employer shall pay the employee's contribution to the pension plan during the period of military leave.
- (6) An eligible employee who serves more than thirty (30) days and less than one hundred eighty (180) days on continuous active duty shall be granted an additional week of paid vacation leave; and an eligible employee who serves one hundred eighty (180) or more days of continuous active duty shall be granted an additional two weeks of paid vacation leave, in accordance with the department's current policies and procedures.
- (7) The benefits provided under this subsection shall be administered as follows:
  - (i) Eligible employees who wish to apply for these benefits shall notify the ~~City Controller or County Auditor, or their respective designees,~~ office of finance and management and the human resources division, department of administration and equal opportunity of their activation as soon as possible after activation of their intent to claim such benefits providing documentation and verification of their orders to full-time active duty.

- (ii) The benefits provided under this subsection shall be paid from the personal services appropriations of the respective agency who employed the eligible employee; and the Council will entertain transfers or additional appropriation requests from any agency whose budget is inadequate to cover such benefits.

- (8) This subsection shall be retroactive to January 1, 2003, for employees hired prior to that date.

SECTION 33. Sections 291-301 through 291-303, inclusive, of the "Revised Code of the Consolidated City and County," regarding health care benefits for employees, hereby are amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 291-301. Group health insurance authorized.**

(a) The director of the department of administration and equal opportunity is hereby authorized to negotiate group health insurance coverage for the employees of Marion County and the Consolidated City of Indianapolis, and police officers, firefighters and sheriff's deputies and their dependents.

(b) If such contract is negotiated, the ~~city or county, as the case may be, is~~ controller and the auditor are authorized to the extent of the appropriations therefor to pay such portion of the premium for "employees only" and dependents' coverage as may be authorized by the mayor.

(c) The controller and the auditor are authorized to withhold, with the employee's consent, from the employee's compensation the employee's share of such health insurance premium.

**Sec. 291-302. Health maintenance organization participation authorized.**

(a) The director of the department of administration and equal opportunity is authorized to negotiate a contract or contracts with an established health maintenance organization (as defined in the "Health Maintenance Organization Act of 1973," 87 Stat. 914) for guaranteed medical services for employees of Marion County and the Consolidated City of Indianapolis, and police officers, firefighters and sheriff's deputies and their dependents.

(b) If such a contract is negotiated and any employee elects to participate in such health maintenance organization plan and not to participate in the group health insurance plan, the ~~city or county, as the case may be, is~~ controller and the auditor are may pay on behalf of each electing employee that portion of the health maintenance organization cost equal to the amount of the "employee only" premium for health insurance authorized pursuant to section 291-301.

(c) The controller and auditor are also authorized to withhold from an electing employee's compensation the employee's share of the cost of health maintenance organization participation and the cost of dependent participation, if available.

**Sec. 291-303. ~~Workmen's~~ Worker's compensation; commencement of compensation authorized.**

(a) The director of the department of administration and equal opportunity is authorized to extend to city and county employees compensation at the regular rate of pay for the entire regularly scheduled work day on which the compensable injury occurs.

(b) The injury must be compensable pursuant to ~~the Workmen's Compensation Act of 1929~~ IC 22-3-1-1 et seq.

(c) This benefit shall apply to all salaried, hourly, and bi-weekly employees who are covered by ~~the Indiana Workmen's Compensation Act of 1929~~ IC 22-3-1-1 et seq.

(d) In all other respects, the Consolidated City of Indianapolis and Marion County shall comply strictly with ~~the Indiana Workmen's Compensation Act of 1929~~ IC 22-3-1-1 et seq.

SECTION 34. Chapter 291, Article V, of the "Revised Code of the Consolidated City and County," regarding the county compensation system, hereby is REPEALED.

SECTION 35. Section 291-602 of the "Revised Code of the Consolidated City and County," regarding definitions applying to certain code sections, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:



**Sec. 291-602. Definitions.**

As used in this article (section 291-601 through 291-614), the following terms shall have the following meanings:

*City* means the employing authorities of Consolidated City of Indianapolis and Marion County.

*Collective bargaining* means to perform the mutual obligation of the employer, by its representatives, and the exclusive bargaining representative of employees in an appropriate bargaining unit to meet and negotiate in good faith at reasonable times and places with respect to terms and conditions of employment, and any subject covered by a collectively bargained agreement covering city employees on September 1, 2001 with the intention of reaching an agreement.

*Confidential employee* means any employee who:

- (1) Works in the office of the mayor;
- (2) Works in the office of the city-county council;
- (3) Works in the office of the corporation counsel;
- (4) Works in the office of ~~the controller~~ finance and management;
- (5) Is secretary to a department head, director, or elected official.
- (6) Works in the human resources division of the department of administration and equal opportunity, or
- (7) Is the personal secretary of any supervisor, managerial, or confidential employee.

*Employee* means any active employee of the City of Indianapolis or Marion County, but the term employee does not include anyone who is:

- (1) An employee of the court;
- (2) A confidential employee;
- (3) A managerial employee;
- (4) A supervisor,
- (5) An intermittent employee;
- (6) A student employee;
- (7) A temporary employee;
- (8) A member of a board or commission;
- (9) An individual in the custody of any law enforcement agency who is working in a program through such an agency;
- (10) An attorney whose responsibilities include providing legal advice to the city or performing legal research for the city as a client;
- (11) An individual who performs internal investigations;
- (12) A member of the Indianapolis Fire Department, the Indianapolis Police Department, or the Marion County Sheriffs Department who has less than one (1) year of employment with such department; ~~or~~
- (13) An employee of the county treasurer, clerk, auditor, prosecutor, surveyor, assessor, recorder, or coroner unless the employee or group of employees is voluntarily recognized by the elected official holding said office: or

- (14) An employee of the township assessor of Center Township, Decatur Township, Franklin Township, Lawrence Township, Perry Township, Pike Township, Warren Township, Washington Township, or Wayne Township unless the employee or group of employees is voluntarily recognized by the township assessor.

*Employee organization* means an organization:

- (1) In which employees participate, and
- (2) That exists for the purpose of representing employees in collective bargaining.

*Exclusive bargaining representative and bargaining agent* mean an employee organization chosen by employees in an appropriate bargaining unit pursuant to this article or recognized by the city as a representative of an appropriate bargaining unit before the adoption of this article.

*Managerial employee* means any individual who:

- (1) Has responsibility for a unit or sub-unit of a division of an agency or department;
- (2) Participates in the formulation of policy;
- (3) Is significantly engaged in executive or management functions;
- (4) Is charged with the responsibility of directing the implementation of management policies, procedures or practices; or
- (5) Is involved in administration of collective bargaining agreements or human resources or personnel decisions, including, but not limited to, staffing, reductions, reorganizations, hiring, discipline, evaluations, pay, assignments, transfers, promotions or demotions.

*Supervisor* means any individual who has authority to hire, transfer, suspend, layoff, recall, promote, demote, discharge, assign, reward or discipline other employees, or to adjust grievances, or effectively to recommend any such action. With respect to the Indianapolis Fire Department, "supervisor" includes all personnel at the rank of division chief or above. With respect to the Indianapolis Police Department, "supervisor" includes all personnel with the rank of major or above, with respect to the Marion County Sheriffs Department, "supervisor" includes all personnel with the rank of captain or above.

*Temporary employee* means an individual who is employed for not more than ninety (90) days.

*Terms and conditions of employment* means wages, hours, allowances, fringe benefits, facilities, equipment and other physical aspects of employment, personnel policies, and the voluntary payment of dues through payroll deduction.

SECTION 36. Sections 291-605 of the "Revised Code of the Consolidated City and County," regarding the determination of the appropriate bargaining unit, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 291-605. Determination of appropriate bargaining unit.**

Upon any request to determine the appropriateness of proposed bargaining unit and the placement of any employee in such unit, a joint labor management advisory committee shall meet and make a recommendation to the Human Resources Division of the Department of Administration and Equal Opportunity. This committee shall consist of three (3) representatives chosen by the employing authority and three (3) representatives chosen by the recognized employee organizations of the city. The human resources division may adopt the recommendation of the committee. In the event the employee organization seeking a determination under this section is unsatisfied with the decision of the human resources division, the matter may be arbitrated according to the rules of the American Arbitration Association. An arbitrator shall reverse or modify a decision of the human resources division only if the arbitrator finds the decision arbitrary or capricious. The parties to the arbitration shall share the costs of the arbitration equally.

SECTION 37. Section 291-610 of the "Revised Code of the Consolidated City and County," regarding the procedures for approving a tentative agreement between a bargaining agent and the city, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 291-610. Approval of tentative agreement.**

(a) When the bargaining agent and the city reach a tentative agreement, they shall reduce it to writing and execute it signifying the approval of the bargaining agent and the city bargaining representative. No agreement shall be effective or enforceable until:

- (1) A fiscal impact study of the tentative agreement is prepared by the controller ~~auditor if the bargaining unit consists of county employees or the city controller if the bargaining unit consists of city employees~~;
- (2) The fiscal impact study of the tentative agreement is submitted to the city-county council, a public hearing is held on the fiscal impact study before the committee on rules and public policy of the council and this committee issues a report within forty-five (45) days on the fiscal impact of the tentative agreement; and
- (3) The tentative agreement is approved by:
  - a. The mayor or elected official with ultimate supervisory responsibility for the employees in the bargaining unit; and
  - b. A majority of the employees in the bargaining unit voting on ratification of the tentative agreement.

(b) Any collective bargaining agreement currently in existence between the city and any bargaining agent shall continue in full force and effect and shall not be invalidated or otherwise affected by this article.

(c) A written agreement shall be contrary to public policy and therefore shall not bind the parties or be enforceable by either party to the extent that it is not the result of good faith bargaining as defined in section 291-609.

SECTION 38. Sections 292-3 of the "Revised Code of the Consolidated City and County," regarding surety bonds for city and county officials, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 292-3. Surety bonds for city and county officials.**

(a) It is hereby declared to be the purpose of this section to fix the amounts of individual surety bonds and authorize a blanket bond for city and county officials.

b) Pursuant to IC 5-4-1-18(c), the city-county council of Indianapolis and Marion County fixes the amount of surety bonds for city and county officials as follows:

Official	Bond Amount
County coroner	\$ 8,500.00
Supervisor Barrett law	60,000.00
City controller	300,000.00
County treasurer	300,000.00
County treasurer (ex officio city treasurer)	300,000.00
County surveyor	8,500.00
County assessor	8,500.00
County auditor	300,000.00
County clerk	300,000.00
County recorder	60,000.00
County sheriff	90,000.00
County prosecutor	8,500.00
Decatur Township assessor	8,500.00
Wayne Township assessor	8,500.00
Warren Township assessor	8,500.00
Washington Township assessor	8,500.00
Perry Township assessor	8,500.00
Pike Township assessor	8,500.00
Franklin Township assessor	8,500.00
Lawrence Township assessor	8,500.00
Center Township assessor	8,500.00

(c) Pursuant to IC 5-4-1-18(b), the city-county council authorizes the purchase of blanket bonds to cover the faithful performance of city and county officials not covered by individual bonds. The amount of these blanket bonds shall be left to the discretion of the director of the department of administration and equal opportunity.

SECTION 39. Sections 293-106 of the "Revised Code of the Consolidated City and County," regarding statements of economic interests, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 293-106. Statement of economic interests.**

- (a) The board of ethics shall require:
  - (1) All officers; and
  - (2) Any employee who, as of December 31 of the previous year:
    - a. Was a sworn member of the Indianapolis police department at a rank of lieutenant or above, was a sworn merit deputy in the Marion County sheriff's department at a rank of lieutenant or above, or was a sworn member of the Indianapolis fire department at a rank of captain or above;
    - b. Was a civilian employee and received annual compensation from the City of Indianapolis or Marion County during the previous calendar year at a base rate of pay greater than twenty-eight thousand dollars (\$28,000.00) per annum;
    - c. Was employed as a purchasing agent for the city or the county or was employed by the purchasing division of the ~~department of administration~~ office of finance and management; or
    - d. Received from an individual business entity, doing business with an agency in which the officer or employee holds an office or position of employment, gifts or honoraria (including those received by members of his or her immediate family) during the previous calendar year having an aggregate value (excluding the value of any events occurring in Marion County to which all members of the city-county council were invited) of more than one hundred dollars (\$100.00);

to file a statement of economic interests on or before the first day of May of each year.

(b) Any applicant for employment with an agency for a position which would qualify under (2)a., b., or c., above, shall be required to file a statement of economic interest prior to an offer of employment being extended by the agency.

(c) Such statement of economic interests shall be affirmed as to its truth and accuracy under penalties of perjury and include the following information:

- (1) The name of the officer or employee;
- (2) The business address of the officer or employee;
- (3) The position in which the officer or employee serves an agency;
- (4) The employer of the officer or employee;
- (5) A list stating the amount and source of all gifts or honoraria the officer or employee and members of his or her immediate family received during the past calendar year having an aggregate fair market value in excess of one hundred dollars (\$100.00) from any individual business entity doing business with an agency;
- (6) A statement of whether or not the officer or employee or any member of his or her immediate family had a direct or indirect pecuniary interest in any contract with the City of Indianapolis or Marion County during the past calendar year, other than a contract of employment and, if so, an explanation of the extent of the interest;

- (7) The name of any business entity from which the officer or employee received any compensation which, to the best of his or her knowledge, does or contemplates doing business with an agency during his or her term of office or employment with an agency; and
- (8) The name of any business entity in which the officer or employee or his or her immediate family owns stocks, bonds or other investments which represent ownership of five (5) percent or more of that business or have a value in excess of five thousand dollars (\$5,000.00) and which business entity, to the best of his or her knowledge, is doing or contemplates doing business with an agency.

SECTION 40. Sections 531-726 of the "Revised Code of the Consolidated City and County," regarding impoundment and kennel fees, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 531-726. Impoundment and kennel fees; disposition.**

- (a) Impoundment and kennel fees for animals impounded under this article shall be as follows:
  - (1) For each small animal other than a dog, ten dollars (\$10.00), and three dollars (\$3.00) for each day of impoundment or fraction thereof;
  - (2) For each dog, twenty dollars (\$20.00), and five dollars (\$5.00) for each day of impoundment or fraction thereof; and
  - (3) For any large animal other than a dog, thirty dollars (\$30.00), and ten dollars (\$10.00) for each day of impoundment or fraction thereof.
- (b) Impoundment and kennel fees shall be collected by and paid to the enforcement authority, which shall remit such funds to the ~~division of finance of the city department of administration~~ office of finance and management; however, if the enforcement authority in a particular case is a person contracting with the city to render services, the fees may be retained by and as the property of such person as part of all of that person's charges for rendering such services, if the contract so provides.

SECTION 41. Sections 581-201 of the "Revised Code of the Consolidated City and County," regarding the division of equal opportunity within the department of administration and equal opportunity, hereby is amended by the addition of language that is underscored, to read as follows:

**Sec. 581-201. Division created; purpose.**

There is hereby created a division of equal opportunity within the department of administration and equal opportunity. This division and its board are empowered as provided in this chapter to carry out the public policy of the state as stated in the Indiana Civil Rights Law at IC 22-9-1-2, within the territorial boundaries of the county.

SECTION 42. Section 621-224 of the "Revised Code of the Consolidated City and County," regarding expenditures from the parking meter fund, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 621-224. Expenditures from parking meter fund.**

The board of public works shall have the right and authority to expend the moneys in the parking meter fund for the purposes provided in this section, without any additional appropriation therefor. ~~A warrant for such expenditures shall be drawn by the city controller, upon~~ Upon receipt of a proper voucher of the board of public works, which voucher shall be signed by the president or vice-president and the executive clerk of the board, as is now required by law for other expenditures of city funds by the board of public works, ~~the controller shall deliver to the auditor an order to issue a warrant for such expenditure. Upon receipt of such order from the controller, the auditor shall draw a warrant for such expenditures.~~ All moneys remaining in the treasury to the credit of the parking meter fund at the end of any calendar year shall remain in such fund, available for all its uses, and shall not revert to the general fund of the city; but the city-county council shall have the right to transfer any unneeded balance, or part thereof, at the end of any year to the city general fund, or as otherwise authorized by law.

SECTION 43. Section 831-3 of the "Revised Code of the Consolidated City and County," regarding the registration of amusement locations, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 831-3. Registration information required; investigation of applicant; report of changed information.**

(a) The registration of an amusement location shall be filed with the office of ~~the controller~~ finance and management on a form provided by that office, contain the following information, and be verified and signed individually by the registrant:

- (1) The name of the registrant and, if a partnership or corporation, the state in which organized;
- (2) The residence address of registrant;
- (3) The business address of registrant;
- (4) The name, age and citizenship of the registrant, if an individual; of all partners, if the registrant is a partnership or joint venture; or of the manager and officers, if the registrant is a corporation; and
- (5) A description of each amusement machine in the amusement location, including the manufacturer, serial number, and name of the owner of each amusement machine.

(b) Before a certificate of registration is issued, the controller shall investigate the character of the registrant or registrants, and the officers or general manager of the business. The registration may be denied if the controller finds that any of the persons named in the registration previously have been convicted of a felony, connected with any amusement location where any of the provisions of the law applicable to such persons have been violated.

(c) If there is any change in the registrant's business during the term of the registration such that the information provided in the application form is no longer complete or accurate, including the addition or removal of an amusement machine in the amusement location, then the registrant shall:

- (1) Notify the controller in writing within ten (10) days after such change occurs; and
- (2) Retain a copy of each written notice throughout the term of the registration.

Failure to comply with this subsection shall be a violation of the Code.

SECTION 44. Section 961-708 of the "Revised Code of the Consolidated City and County," regarding the enforcement of certain inspections conducted by the controller, hereby is amended by the deletion of language that is stricken through and the addition of language that is underscored, to read as follows:

**Sec. 961-708. Enforcement.**

Inspections may be made and action to enforce the provisions of this article may be taken by the division of compliance of the department of metropolitan development, the office of ~~the controller~~ finance and management, or by any law enforcement agency. The division of compliance shall be responsible for making periodic inspections of cafe activity carried out in sidewalk sales areas.

SECTION 45. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 46. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 47. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14, or July 1, 2005, whichever is later.

Councillor Gray reported that the Parks and Recreation Committee heard Proposal Nos. 330-332, 2005 on July 14, 2005. He asked for consent to vote on these proposals together. Consent was given.

August 8, 2005

PROPOSAL NO. 330, 2005. The proposal, sponsored by Councillors Gray, Cockrum and Moriarty Adams, establishes interest in purchasing specified land to consolidate parks maintenance operations. PROPOSAL NO. 331, 2005. The proposal, sponsored by Councillors Gray, Nytes, Cockrum and Talley, establishes interest in purchasing specified land for use as a youth golf facility. PROPOSAL NO. 332, 2005. The proposal, sponsored by Councillors Gray, Nytes, Cockrum and Talley, establishes interest in purchasing additional specified land for use as a youth golf facility. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal Nos. 330-332, 2005 were adopted on the following roll call vote; viz:

*25 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*  
*0 NAYS:*  
*4 NOT VOTING: Cain, Franklin, Langsford, Plowman*

Proposal No. 330, 2005 was retitled GENERAL RESOLUTION NO. 6, 2005, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 6, 2005

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq.; and

WHEREAS, pursuant to IC 36-1-10.5-5 the City of Indianapolis may purchase land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in making a purchase of specified land; and

WHEREAS, the City of Indianapolis wishes to purchase a two parcels of real estate located in Marion County, which are described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate"), for use as a maintenance facility; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring the Real Estate described in Exhibit "A" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned by Jeffery Slipher. Parcel #7039857 was acquired through a Warranty Deed that was recorded in the office of the Marion County Recorder on December 27, 1995, as Instrument Number 1995-0166697 and parcel # 7022773 was acquired through a Corporate Warranty Deed that was recorded in the office of the Marion County Recorder on September 12, 1990, as Instrument Number 1990-0095041.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 331, 2005 was retitled GENERAL RESOLUTION NO. 7, 2005, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 7, 2005

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq; and

WHEREAS, pursuant to IC 36-1-10.5-5 the City of Indianapolis may purchase land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in making a purchase of specified land; and

WHEREAS, the City of Indianapolis wishes to purchase several parcels of real estate located in Marion County, which are described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate"), for use as a youth golf facility; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring the Real Estate described in Exhibit "A" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned by Andy Sanders, Albert Sanders and Willie James Sanders, through a Quitclaim Deed that was recorded in the office of the Marion County Recorder on November 2, 1993, as Instrument Number 1993-0163233.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A

**Parcel # 1046889**

Part of Section 25, Township 16 North, Range 3 East, and part of Section 30, Township 16 North, Range 4 East, more particularly described as follows:

Beginning at the North East corner of Lot 43 in Hadley's Second Grandview Addition and running thence South along the East line of Hadley's Second Grandview Addition 520 feet; thence running directly East 87 feet; thence running North parallel with the east line of Hadley's Second Grandview Addition 520 feet to the South line of 28<sup>th</sup> Street, thence West 87 feet along the South line of 28<sup>th</sup> Street to the place of beginning.

Proposal No. 332, 2005 was retitled GENERAL RESOLUTION NO. 8, 2005, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 8, 2005

A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana, ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-10.5-1, et seq; and

WHEREAS, pursuant to IC 36-1-10.5-5 the City of Indianapolis may purchase land only after the City-County Council passes a resolution to the effect that the City-County Council is interested in making a purchase of specified land; and



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WHEREAS, the City of Indianapolis wishes to purchase several parcels of real estate located in Marion County, which are described in Exhibit "A", which is attached hereto and incorporated herein, ("Real Estate"), for use as a youth golf facility; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that the City-County Council has an interest in acquiring the Real Estate described in Exhibit "A" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66 the Real Estate is owned by the Brotherhood Athletic Education Association, Inc. Parcel # 1042846 was acquired through a Quitclaim Deed that was recorded in the office of the Marion County Recorder on October 24, 1997 as Instrument Number 1997-0160694, parcel # 1042847 was acquired through a Quitclaim Deed that was recorded in the office of the Marion County Recorder on October 24, 1997 as Instrument Number 1997-0160694, parcel #1045699 was acquired through a Quitclaim Deed that was recorded in the office of the Marion County Recorder on June 10, 1993 as Instrument Number 1993-0068065, parcel # 1072203 was acquired through a Quitclaim Deed that was recorded in the office of the Marion County Recorder on June 10, 1993 as Instrument Number 1993-0068066, parcel # 1027401 was acquired through a Quitclaim Deed that was recorded in the office of the Marion County Recorder on June 10, 1993 as Instrument Number 1993-0068068 and parcel # 1072204 was acquired through a Quitclaim Deed that was recorded in the Office of the Marion County Recorder on June 10, 1993 as Instrument Number 1993-0068067.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

EXHIBIT A

**Parcel #'s 1042847 and 1042846**

Lot 55, Hadley's N. E. Addition to the City of Indianapolis, as per plat thereof, recorded in Plat Book 9, page 50, in the Office of the Recorder, Marion County, Indiana.  
Also, part of the East half of the Northwest Quarter of Section 25, Township 16 North, Range 3 East of the Second Principal Meridian, Marion County, Indiana, more particularly described as follows to wit:

Beginning at the Southeast corner of Lot 55, in Hadley's Second Grandview Addition, to the City of Indianapolis, as per plat thereof, recorded in Plat Book 11, page 47, in the Office of the Recorder, Marion County, Indiana, thence West along the South line of said lot 55, 118 feet to the Southwest corner of said lot 55, being the East line of Winthrop Avenue extended 77.9 feet to the center line of 27<sup>th</sup> Street, vacated, thence East along the center of 27<sup>th</sup> Street, vacated, 55 feet, thence North parallel to the East line of Winthrop Avenue extended and Winthrop Avenue, 72.9 feet to a point, 5 feet South of the South line of said Lot 55; thence East 63 feet; thence North 5 feet to the place of beginning.

**Parcel # 1045699**

Nordyke and Hollowells Grandview Addition Lot 18 to Lot 22, Block 4 and 8.5 feet of the vacated alley east of and adjacent to.

**Parcel # 1072203**

Nordyke and Hollowells Grandview Addition Lot 16, Block 4 and 8.5 feet of the vacated alley east of and adjacent to.

**Parcel # 1027401**

Nordyke and Hollowells Grandview Addition, Lot 13-15, Block 4 and 8.5 feet of the vacated alley east of and adjacent to.

**Parcel # 1072204**

Nordyke and Hollowells Grandview Addition, Lot 17 Block 4 and 8.5 feet of the vacated alley east of and adjacent to.

PROPOSAL NO. 333, 2005. Councillor Gray reported that the Parks and Recreation Committee heard Proposal No. 333, 2005 on July 14, 2005. The proposal, sponsored by Councillors Gray, Cockrum and Talley, amends the current language of the off-leash ordinance to allow for additional dog parks. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 333, 2005 was adopted on the following roll call vote; viz:

*25 YEAS: Abdullallah, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Speedy, Talley*  
*3 NAYS: Borst, Franklin, Schneider*  
*1 NOT VOTING: Sanders*

Proposal No. 333, 2005 was retitled GENERAL ORDINANCE NO. 74, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 74, 2005

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to allow the Board of Parks and Recreation to establish off-leash areas in properties under the jurisdiction or control of the Department of Parks and Recreation.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 631-110 of the "Revised Code of the Consolidated City and County," regarding animals and fowl in parks is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

**ARTICLE I. IN GENERAL**

**Sec. 631-110. Animals and fowl in parks generally.**

(a) It shall be unlawful for any person, being the owner of or having control thereof, and without permission of the board of parks and recreation, to suffer or permit any chickens, ducks, geese, swans, hogs, cattle, horses, sheep, goats or any other animals or fowl, to stray into or to run at large or unattended or to trespass upon any park, playground, waters or any property controlled, leased or loaned by the department of parks and recreation or on which a concession has been granted by it. Any of the animals or fowl prohibited by this subsection, straying into, running at large or unattended or trespassing on park lands, may be impounded by the department of parks and recreation, and, if not reclaimed and the costs thereof paid by the owners, may be sold as provided by law and this Code for the disposal of stray animals which are held in the city pound.

(b) It shall be unlawful for any person harboring or controlling a dog to permit or to suffer such dog, when not attended and under the control of the person and held by a leash, to be in any park, public playground or golf course, or at any time to enter any wading or swimming pool or beach located therein.

(c) Notwithstanding the provisions of section 531-102 and section 631-110(b) of this Code, dogs are permitted off-leash in specific areas ~~of Broad Ripple and Eagle Creek Parks~~ under the jurisdiction or control of the department of parks and recreation, which areas are designated as off-leash areas by the board of parks and recreation.

(d) It shall be unlawful for any person to ride, lead or drive a horse, mule, pony, donkey or any other beast of burden on any park property; except that the board of parks and recreation may designate certain portions of park property as bridle paths or other areas wherein horses and other equine animals may be ridden, after securing a written permit therefore from the board. Horseback and other animal riding shall be confined exclusively to designated riddle paths and in public parks, or to other places set

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apart for such use. Reckless riding or racing at any place shall be unlawful. Riding horses or other animals on or across grass lawns, flower beds golf courses or any park property other than on bridle paths or places designated therefor, shall be unlawful.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 355 and 357-370, 2005 on July 21, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 355, 2005. The proposal, sponsored by Councillor Randolph, authorizes intersection controls for the Mill Pond Subdivision (District 1). PROPOSAL NO. 357, 2005. The proposal, sponsored by Councillor Randolph, authorizes intersection controls for Eagle Creek Manor (District 1). PROPOSAL NO. 358, 2005. The proposal, sponsored by Councillor Brown, authorizes intersection controls for Meadowview Farms, Sections 1 & 2 (District 18). PROPOSAL NO. 359, 2005. The proposal, sponsored by Councillor Day, authorizes intersection controls for the intersection of Boyd Avenue and Calhoun Street (District 20). PROPOSAL NO. 360, 2005. The proposal, sponsored by Councillor Day, authorizes a multi-way stop at the intersection of Murray Street and Parker Avenue (District 20). PROPOSAL NO. 361, 2005. The proposal, sponsored by Councillor Speedy, authorizes parking restrictions on Prague Road between McFarland Road and Roncalli High School (District 24). PROPOSAL NO. 362, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Crystal Lakes South Subdivision (District 25). PROPOSAL NO. 363, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Wildcat Run Subdivision, Sections 4, 5, 6, 8, 9, 10 and 12 (District 25). PROPOSAL NO. 364, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Indian Creek Meadows Subdivision, Section 1 (District 25). PROPOSAL NO. 365, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Waters Edge at Cummins Farm Subdivision, Sections 1 and 2 (District 25). PROPOSAL NO. 366, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Meadow Bend Subdivision, Sections 4 and 5 (District 25). PROPOSAL NO. 367, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Ashland Subdivision, Sections 1 and 2 (District 25). PROPOSAL NO. 368, 2005. The proposal, sponsored by Councillor Plowman, authorizes an increase in the speed limit on Combs Road from County Line Road to Shelbyville Road (District 25). PROPOSAL NO. 369, 2005. The proposal, sponsored by Councillor Randolph, authorizes parking restrictions on 71st Street between Lafayette Road and Lakeside Drive (District 1). PROPOSAL NO. 370, 2005. The proposal, sponsored by Councillor Mansfield, authorizes intersection controls for the Crooked Creek Villages West Subdivision, Sections 4, 5, and 6 (District 2). By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Plowman, for adoption. Proposal Nos. 355 and 357-370, 2005 were adopted on the following roll call vote; viz:

*28 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy, Talley*

*0 NAYS:*

*1 NOT VOTING: Sanders*

Proposal No. 355, 2005 was retitled GENERAL ORDINANCE NO. 75, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 75, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1	Lafayette Rd. & Mill Pond Ln.	Lafayette Rd.	Stop
1	Mill Pond Ln. & Mill Stream Cir.	Mill Pond Ln.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 357, 2005 was retitled GENERAL ORDINANCE NO. 76, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 76, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8	Camarillo Ct. & Shanghai Rd.	Shanghai Rd.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 358, 2005 was retitled GENERAL ORDINANCE NO. 77, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 77, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

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SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
21	River Birch Dr. & Shellbark Dr.	River Birch Dr.	Stop
21	River Birch Dr. & 30 <sup>th</sup> St.	30 <sup>th</sup> St.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 359, 2005 was retitled GENERAL ORDINANCE NO. 78, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 78, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Boyd Ave. & Calhoun St.	Calhoun St.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 360, 2005 was retitled GENERAL ORDINANCE NO. 79, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 79, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Murry St. & Parker Ave.	Murry St.	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
32	Murry St. & Parker Ave.	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 361, 2005 was retitled GENERAL ORDINANCE NO. 80, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 80, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Prague Road, on the north side, from  
McFarland Road to a point 75 feet east of McFarland Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 362, 2005 was retitled GENERAL ORDINANCE NO. 81, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 81, 2005  
Proposal No. 362, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Arlington Ave. & Riva Ridge Dr.	Arlington Ave.	Stop
40	Crystal Trail Way & Crystal View Dr.	Crystal View Dr.	Stop
40	Crystal Trail Way & Riva Ridge Dr.	Riva Ridge Dr.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 363, 2005 was retitled GENERAL ORDINANCE NO. 82, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 82, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

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BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41 p	Black Bear Cir. & Kidwell Dr.	Kidwell Dr.	Stop.
41	Bracken Ln. & Wildcat Run Dr.	Wildcat Run Dr.	Stop
41	Brambleberry Ct. & Brambleberry Dr.	Brambleberry Dr.	Stop
41	Brambleberry Dr. & Franklin Rd.	Franklin Rd.	Stop
41	Brambleberry Dr. & Little River Ln.	None	All Way Stop
41	Brambleberry Dr. & Rambling Rd.	Brambleberry Dr.	Stop
41	Brambleberry Dr. & Sienna Cir.	Brambleberry Dr.	Stop
41	Burning Tree Ct. & Kidwell Dr.	Kidwell Dr.	Stop
41	Dublin Ln. & Wildcat Run Dr.	Wildcat Run Dr.	Stop
41	Kidwell Dr. & Twin Bridge Blvd. & Twin Bridge Cir.	Kidwell Dr. & Twin Bridge Blvd.	Stop
41	Kidwell Dr. & Twin Bridge Ct.	Kidwell Dr.	Stop
41	Kidwell Dr. & Wildcat Run Dr.	None	All Way Stop
41	Little River Ln. & Outer Bank Rd	Outer Bank Rd	Stop
41	Little River Ln. & Twin Rivers Ln	Little River Ln	Stop
41	Montavia Cir. & Wildcat Run Ln.	Wildcat Run Ln.	Stop
41	Montavia Ln. & Wildcat Run Ln.	Wildcat Run Ln.	Stop
41	Penguin Cir. & Twin Bridge Blvd.	Twin Bridge Blvd.	Stop
41	Ponderosa Pines Ln. & Ponderosa Pines Pl. & Wildcat Run Dr.	Ponderosa Pines Pl., Wildcat Run Dr.	Stop
41	Tresa Dr. & Wildcat Run Dr.	Wildcat Run Dr.	Stop

41	Twin Bridge Blvd. & Wildcat Run Ln.	None	All Way Stop
41	Twin Rivers Dr. & Twin Rivers Ln.	Twin Rivers Dr.	Stop
41	Wildcat Run Ct. & Wildcat Run Dr.	Wildcat Run Dr.	Stop
41	Wildcat Run Dr. & Wildcat Run Ln.	Wildcat Run Dr.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 364, 2005 was retitled GENERAL ORDINANCE NO. 83, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 83, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Caressa Way & Coppel Ln.	Coppel Ln.	Stop
48	Caressa Way & Indian Creek Rd.	Indian Creek Rd.	Stop
48	Coppel Ln. & Franklin Rd.	Franklin Rd.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 365, 2005 was retitled GENERAL ORDINANCE NO. 84, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Dragonfly Dr. & Skipping Stone Dr.	Skipping Stone Dr.	Stop



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41	Five Points Rd. & Lily Pad Ln	Five Points Rd	Stop
41	Floating Leaf Dr. & Front Point Dr. & Skipping Stone Dr.	None	All Way Stop
41	Floating Leaf Dr. & Lily Pad Ln.	Lily Pad Ln.	Stop
41	Grassy Bank Ct. & Grassy Bank Dr. & Lily Pad Ln.	Lily Pad Ln.	Stop
41	Lily Pad Ln. & Minnow Dr.	Minnow Dr.	Stop
41	Minnow Dr. & Skipping Stone Dr.	Skipping Stone Dr.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 366, 2005 was retitled GENERAL ORDINANCE NO. 85, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Bentley Bend Ct. & Meadow Bend Ln.	Meadow Bend Ln.	Stop
48	Grassy Meadow Ct. & Grassy Meadow Ln.	Grassy Meadow Ln.	Stop
48	Grassy Meadow Ln. & Meadow Bend Ln.	Meadow Bend Ln.	Stop
48	Meadow Bend Ln. & Shelbyville Rd.	Shelbyville Rd.	Stop
48	Meadow Bend Ln. & Stoney Bend Cir. & Stoney Bend Ct.	Meadow Bend Ln.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 367, 2005 was retitled GENERAL ORDINANCE NO. 86, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Chemistry Ct. & Fields Blvd.	Fields Blvd.	Stop
41	Economics Ct. & Fields Blvd.	Fields Blvd.	Stop
41	Fields Blvd. & Fields Way	Fields Way	Stop
41	Fields Blvd. & History Ct.	Fields Blvd.	Stop
41	Fields Blvd. & Thompson Rd.	Thompson Rd.	Stop
41	Fields Dr. & Five Points Rd.	Five Points Rd.	Stop
41	Fields Dr. & Physics Way	Fields Dr.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 368, 2005 was retitled GENERAL ORDINANCE NO. 87, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 87, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-323, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

40 MPH

Combs Road, from County Line Road to Shelbyville Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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Proposal No. 369, 2005 was retitled GENERAL ORDINANCE NO. 88, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 88, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Seventy-first Street, on both sides, from  
Lafayette Road to Lakeside Drive

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 370, 2005 was retitled GENERAL ORDINANCE NO. 89, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 89, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
10	Creekshore Dr. & Hollingsworth Dr.	None	All Way Stop
10	Hollingsworth Dr. & Hammond Ct.	Hollingsworth Dr.	Stop
10	Hollingsworth Dr. & Loftus Ct.	Hollingsworth Dr.	Stop
10	Hollingsworth Dr. & Weller Dr.	Hollingsworth Dr.	Stop
10	Hollingsworth Dr. & 62 <sup>nd</sup> St.	62 <sup>nd</sup> St.	Stop
10	Lindel Ct. & Lindel Ln.	Lindel Ln.	Stop
10	Tanfield Ct. & Waterloo Dr.	Waterloo Dr.	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Langsford, Talley, Borst, Boyd, Pfisterer, Day, Randolph, Plowman, Moriarty Adams, and Mansfield in memory of Lawrence Lee Buell, Jr.; and
- (2) Councillor Langsford in memory of Charlie Hauck; and
- (3) Councillor Nytes in memory of Warren Wright; and
- (4) Councillor Boyd in memory of Roselyn C. Richardson; and
- (5) Councillor Gray in memory of David Burnett; and
- (6) Councillors Pfisterer, Langsford, and Randolph in memory of Ray E. Gaulden; and
- (7) Councillor Pfisterer in memory of Walter J. Kreie and Barbara Ann Carrico; and
- (8) Councillor Randolph in memory of Tracey Parrish, Brandon Chadwick Dunson Taylor, Stanley J. McClurg, Willa L. Farrow, and Kathryn Kandel Hall; and
- (9) Councillors Sanders and Randolph in memory of Jeffrey Eubank; and
- (10) Councillors Gray and Brown in memory of Geneva Jenkins; and
- (11) Councillors Gray, Brown and Langsford in memory of Mattie Bell Walker Chandler.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Lawrence Lee Buell, Jr., Charlie Hauck, Warren Wright, Roselyn C. Richardson, David Burnett, Ray E. Gaulden, Walter J. Kreie, Barbara Ann Carrico, Tracey Parrish, Brandon Chadwick Dunson Taylor, Stanley J. McClurg, Willa L. Farrow, Kathryn Kandel Hall, Jeffrey Eubank, Geneva Jenkins, and Mattie Bell Walker Chandler. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 10:34 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 11th day of July, 2005.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)